A

THIRD VOLUME

OF

INTERESTING

TRACTS,

ON

THE SUBJECT OF TAXING

THE

British Colonies in *AMERICA.*

CONTAINING,

I. The Conduct of the late Adminiſtration examined. With an Appendix, conſiſting of Original and Authentic Documents.

II. Authentic Account of the Proceedings of the Congreſs held at New-York.

III. The Examination of Dr. *Benjamin Franklin.*

IV. Two curious Papers written in 1739, by Mr. *Joſhua Gee*, and others.

LONDON:

Printed for J. ALMON, oppoſite Burlington-Houſe, in Piccadilly. 1767.



THE CONDUCT OF THE Late Adminiſtration EXAMINED, Relative to the *American* Stamp-Act.

WITH AN APPENDIX, CONTAINING Original and Authentic DOCUMENTS.

Fuit quondam ita firma hæc Civitas et valens, ut Negligentiam Senatus, vel etiam Injurias Civium ferre poſſet: Jam non poteſt. Ærarium nullum eſt, Auctoritas Principum cecidit, Conſenſus Ordinum eſt divulſus, Suffragia deſcripta tenentur a Paucis, bonorum Animus ad Nutum noſtri Ordinis expeditus jam non erit; Civem qui ſe pro Patriæ Salute opponat Invidiæ fruſtra poſthac requiretis.

Cicer. Orat. de Haruſp. Reſp.

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THE

CONDUCT

OF THE

Late Adminiſtration, &c.

THE reader will ſee in the motto prefixed to this tract, the reaſons for undertaking it: the ſtate of the commonwealth is ſuch, whether we conſider the debt, the factions, and the venality of the kingdom; or the little proſpect there is of finding *another miniſter* who will oppoſe himſelf to the two latter, for the ſake of alleviating the former; that it can no longer ſupport our

vices; though it has ſtill perhaps ſtrength ſufficient to bear an application of the proper remedies. But theſe remedies cannot be hoped for 'till our former conduct, the motives, and the effects of it are generally underſtood. A perſuaſion that if theſe were fairly laid before the public, our opinions, and conſequently our meaſures would be altered; and that it is not even yet too late to retrieve, in ſome degree, the loſſes which the ſtate has ſuſtained while her intereſts have been neglected and ſacrificed, was the motive which produced this publication: a motive which, if it does not give ſucceſs to the deſign, will, it is hoped, carry with it an excuſe for the attempt. For although perſonal altercations and private feuds have degraded the tribunal of the *public*, the attention of which they have ſo long engroſſed; yet the queſtions which are peculiarly proper for its cognizance, are thoſe which concern the *honor*, the *wealth* or the *ſafety* of the community;

and

and eſpecially thoſe plans of *foreign* and *domeſtic policy*, which are purſued by thoſe to whom the intereſts of the ſtate are entruſted: no introduction therefore or apology is neceſſary to a tract, which propoſes to enquire into the merit of thoſe meaſures which have lately been adopted by the late *miniſtry*, with regard to points of the greateſt importance to the empire, commerce and ſecurity of Great Britain.

It were ever to be wiſhed that enquiries of this ſort could be made without deſcending to perſonal accuſations; for the ſubjects are much leſſened when the reputations of particular men, the praiſe or cenſure of ſome *miniſter*, becomes a conſiderable part of them. But on this occaſion, it is feared that this reſerve is impoſſible; when we judge of the merits of meaſures, we neceſſarily judge of thoſe by whom they were planned and executed. If, however, in the courſe of the enquiry blame ſhall be thrown on particular perſons, the writer can truly ſay, that this was not in his

firſt intention, and that it is only the neceſſary reſult of the ſubject he treats; a ſubject of ſo much importance, that he has not ſuffered the diſlike which he feels in common with almoſt all mankind to perſonal cenſure, to ſtifle that information which the public has a right to receive upon a point which goes up to the very firſt principles of our conſtitution, and involves in it queſtions upon which the exiſtence of all government depends. The reader eaſily ſees that the ſubject I mean is the *ſtamp act*. This is the meaſure of the greateſt importance, both in itſelf and in its conſequences; referring therefore the other plans of the year to ſome future hour, it is propoſed at preſent to *examine the conduct of the miniſtry*, with regard to this *act*, from the the time at which they came into office, to that at which it was repealed.

If this is done without partiality, the perſons whoſe conduct is examined will have no reaſon to complain; they eſpecially will have no reaſon to complain

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of being called to a public trial, who are perpetually aſſuring us that their delight, their merit, and their ſupport is, that they poſſeſs entirely the favour of the public. To diſprove the truth of this aſſertion, *nec enim* (to uſe the words of Cicero) *populum romanum eſſe illum puto, qui conſtat ex iis qui mercede conducuntur, qui impelluntur ut vim afferant magiſtratibus, ut obſideant ſenatum*; and to ſhew by what arts they gained, for a ſhort time, the appearance of popularity, would be eaſy; but it is of little conſequence in itſelf, and foreign to the preſent ſubject; the diſcuſſion of which will however determine (which is a queſtion of more importance) whether they have deſerved it.

To decide on the merits of their conduct, it is neceſſary that the *ſtate of affairs* ſhould be known; that the *intelligence* received from America, the *mode* and the *degree* of the *reſiſtance* there made, *the wiſhes of our friends, the efforts of the oppoſers, the conduct of our officers*, ſhould be ſtated; eſpecially that

that the *inſtructions* ſent by the *miniſtry* in conſequence of the informations they had received, ſhould be examined. Upon theſe grounds this enquiry is conducted; whenever a fact is aſſerted, the authorities for it are quoted or referred to; authorities ſo convincing as to leave no room for doubt; they conſiſt of *letters, minutes of councils, inſtructions, advices, orders,* tranſmitted to and from America. *Tranſcripts* of theſe are now in the poſſeſſion of ſo many perſons, and the power of conſulting them is in the reach of ſo many more, that the reader will not ſuſpect any falſe quotation is attempted in circumſtances which render the detection of it ſo very eaſy. Some of theſe are inſerted in *the appendix*; from others extracts only are made, with references in the notes to the letters themſelves, and credit is taken from the exactneſs of them upon the ſame ground; as well as for thoſe in which the names of the writers are omitted; the only reaſon of this omiſſion is to avoid the poſſibility of informing the *Americans*

cans (who, it is feared, do not want this information) by what channels the intelligence of their proceedings was conveyed to us; for, to the diſgrace of Great Britain, her friends and advocates in one of her provinces, are not (it ſeems) to be protected or avowed. And ſurely it is time that the public ſhould receive *the evidence* which has hitherto been induſtriouſly concealed from them, whilſt falſe, though poſitive aſſertions, and unmeaning declamation have been ſubſtituted in its place: it is time, that having heard with eagerneſs and even with partiality the *claims* of *America*, they ſhould hear with patience, at leaſt whilſt I plead, *the cauſe of Great Britain*; that they ſhould read with impartiality, whilſt I ſtate very ſhortly, (not *the merits*, for they are beſide the preſent queſtion, but) *the principles and progreſs of the ſtamp act*: an act to which no private intereſts, no party views, nothing but public motives could give riſe; and *the intentions* of which, however they might be treated

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in *America*, deſerve the approbation of every inhabitant of *Great Britain*.

The firſt and great principle of all government, and of all ſociety, is, that *ſupport is due in return for protection*; that every ſubject ſhould contribute to the common defence, in which his own is included. *Nam neque quies gentium ſine armis, neque arma ſine ſtipendiis, neque ſtipendia ſine tributis haberi queunt.* Tacit. Hiſt. lib. 4. It was neceſſary, and it was juſt, to recur to this principle at the cloſe of the laſt war. It was found *neceſſary* to maintain upwards of 10000 men for the defence of our *colonies*; an expence of between 3 and 400,000 l. *per ann.* great part of which was entirely new, was, on that account, to be incurred; it was *juſt* that the *colonies* which had profited ſo much by the war, whoſe intereſts, commerce and ſecurity had been the firſt objects of *the peace*; and of whoſe ability to bear at leaſt ſome proportion of that new expence there neither was nor is any reaſon to doubt, ſhould contribute (not

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to ſupport or to defend Great Britain but) *about a third part of the expence* neceſſary for their own defence and protection.

Upon this general and acknowledged principle, and upon this application of it, which was juſt in itſelf, and which the ſituation of this country made neceſſary, and which it might have been expected, would appear neither unreaſonable or unpleaſing to an Engliſh ear, *the ſtamp act was planned.* In the beginning of the year 1764 the propoſition of impoſing, by a duty on ſtamps, *a tax on America,* in conformity to uninterrupted precedents for near 100 years, was made, and thrown into the form of *reſolutions.* At that time the merits of this queſtion were opened at large; thoſe who have lately ſo loudly aſſerted the *privileges* and *exemptions* of America were then publicly called upon to deny, if they thought it fitting, the right of the legiſlature to impoſe any tax either internal or external upon that country: and not a ſingle perſon ven-

tured to controvert that right. A year's delay however was given, that any information might be received from *America*, with regard to the *expediency* of the particular tax propoſed, not to permit the right of impoſing it to be controverted. This diſtinction was fully opened at that time, and afterwards explained to *the agents* of the *provinces*.

This delay was however abuſed by ſome of the *Americans*; and when, in the beginning of the year 1765, the plan was carried into execution by a bill, ſeveral *petitions* from *America* which *denied their right of impoſing taxes on the colonies*, were preſented to the *parliament*, and were therefore *rejected without a diviſion*; *no one perſon* having been then found, in either houſe, who would declare it to be his opinion that America was not, in this inſtance, ſubject to Great-Britain [a]. In 1766 *the act* was

[a] And yet it has been aſſerted that this oppoſition would have been made, if ſome intelligence relating to

was repealed, but even then *the adminiſtration*, determined as they were on

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to this matter had not been ſuppreſſed at that time; as this was publicly ſaid, the public is to be informed of the fact, which was this.

On the 11th of December, 1764, the board of trade reported to the king, that the aſſemblies of Maſſachuſet's bay and New-York had, *in their reſolutions and proceedings* (copies of which they tranſmitted with the report) *treated the acts and reſolutions of the legiſlature of Great-Britain with the moſt indecent diſreſpect.* The privy council adviſed the king, *to give directions that the ſame be laid before parliament, at ſuch time and in ſuch manner as his Majeſty ſhould be pleaſed to direct and appoint.*

This poſtponed the laying it before parliament, as it was meant to do; but it deprived the parliament of no information, for the aſſemblies had inſtructed their agents here to prepare petitions in the ſame words; and particularly Mr. Mauduit, the agent for Maſſachuſet's bay, was directed to draw his principles and arguments from Mr. Otis's book of The Rights of the Colonies (which had been reprinted here). The colonies were obeyed. Petitions were preſented, aſſerting the right of freedom from taxes impoſed by Great-Britain, on the very grounds of the reſolutions and proceedings which the board of trade had tranſmitted to the king; theſe were rejected by parliament, not from ignorance of

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the repeal, and though they were to carry their point chiefly by the aſſiſtance of *that gentleman*'s ſpeeches who denied the *right of England* to tax the colonies, were however obliged, before they ventured to propoſe this meaſure to parliament, to prepare the way by *a bill aſſerting the right* in the fulleſt and ſtrongeſt terms.

So

their contents, but becauſe their contents were known; becauſe they denied the power of Great-Britain. No information was with-held therefore by this delay, the cauſe of which was tenderneſs to the colonies. For had the king called the attention of parliament to proceedings in which their acts were treated with the moſt *indecent diſreſpect*; their own dignity muſt have drawn from them votes of cenſure and ſeverity towards the offenders: and therefore the miniſtry, who were taking the proper methods to form and enforce the act, which would have ſufficiently repreſſed the claims of the Americans, and effectually aſſerted the dignity and authority of Great-Britain, withheld a paper which would have given no information but what was given in a manner leſs calculated to irritate mens minds.

So that however the public may have been miſled by the authority of *names* quoted on the other ſide of the queſtion, it can be doubted of no longer; *the ſupreme legiſlature* has aſſerted, in the moſt explicit and ſolemn manner, its *right* to the obedience of its American ſubjects; and therefore the aſſertions of *particular perſons*, oppoſed to this, not only deſerve that diſregard which they will meet, who propagate opinions contrary to the common declared ſenſe, and detrimental to the intereſts of their country, but become alſo highly criminal; for it is now as criminal to aſſert *the exemption of America from taxes impoſed by parliament*, as it is to aſſert, that parliament had no right to repeal the ſtamp act.

The right of Great-Britain being eſtabliſhed and univerſally acknowledged (except by about ſix or ſeven voices) it is certain, that whatever the private opinions of particular men might be, it

was

was the duty of every ſubject to have ſubmitted to this law while it ſubſiſted; and the duty of thoſe to whom the execution of it was committed, to have enforced it.

The next ſtep therefore is to enquire whether *the adminiſtration* took the meaſures proper and neceſſary to procure due obedience to a law in which the intereſts and dignity of Great-Britain were ſo deeply concerned; or whether they are guilty of having, by neglect and connivance, encouraged a reſiſtance to her authority, and ſhaked the very foundations of her empire.

To judge of this, it is neceſſary to examine the inſtructions and orders iſſued by the ſ-----y of ſt--e for the ſouthern department, to whom this important branch of our dominions is officially entruſted.

The letters of Mr. ſ-------y C----y are of three dates; they are *reprinted* here,

here, having been already printed in America. The first of them is *a single letter* to *governor Fauquier*, dated September 14, 1765 [b]. On the 24th of October, 1765, the s-------y wrote to major general Gage [c], to governor Bernard [d], and a circular letter to the governors of the colonies [e]; and on the 15th of December, 1765, he sent letters to major general Gage [f], and to lieutenant governor Colden [g]. Of this last an extract only is given, the rest is omitted, as it contains a censure on a particular person.

The reader will justly be surprised, that on a subject so important, at a time so critical, no more directions were issued; he will be more so, to find that the letter to governor Bernard, of the first date, and that of the last, to general Gage, refer to those of the 24th of

[b] See Appendix, No. 1. [c] See Appendix, No. 2.
[d] See Appendix, No. 3. [e] See Appendix, No. 4
[f] See Appendix, No. 5. [g] See Appendix, No. 6.

of October, 1765, for inſtructions, (the letter to governor Colden is on a particular ſubject only) that the letter of the 24th of October, 1765, though addreſſed to ſo many different *governors*, preſiding over people ſo different in their *form of government*, *character* and *conduct*, is the ſame to each; and indeed a mere *fac ſimile* of that ſent to the *commander in chief of the Engliſh forces*; that in fact only *one inſtruction* was iſſued during that period, and that from all his *eſſays on obedience*, it would be difficult to extract any thing which could give real directions or aſſiſtance to the governors, whoſe conduct was to determine, whether the empire of North America ſhould be retained in obedience, or thrown into an independance fatal to themſelves and dangerous to Great-Britain.

For the ſake of perſpicuity and of juſtice, the method obſerved is this, before each letter is conſidered, the information

formation which the writer of it had then received is ſtated; for it is only by thus placing ourſelves in his ſituation, that we can form an impartial judgment on the propriety of his conduct. After conſidering each of theſe diſpatches, there is thrown together the intelligence received ſubſequent to any orders given by him, but previous to the repeal of the *ſtamp act*.

It is neceſſary to begin by a deſcription of the ſtate of this matter, when the ſ--ls of the ſouthern department were put into the hands of Mr. C----y.

As ſoon as the *ſtamp act* had received the *royal aſſent*, which was on the 22d. of *March*, 1765, the adminiſtration which had planned it began to take ſuch meaſures as might moſt effectually carry it into execution: and though ſuch complaints of the future burden had been received from *America*, as are ever made by thoſe who have been long indulgently exempted from bearing any;

and though ſome of that country had proceeded even to deny the right of *Great-Britain* to impoſe them; yet the act was not yet paſſed; and to impoſe and to ſecure the collection of the tax would be ſo effectual a vindication of that right, that in lenity to the colonies any ſeverer animadverſion on their conduct was ſpared.

This act had given a juriſdiction for the recovery of the penalties, incurred by the breach of it, to the ſame courts of admiralty which for near a century had poſſeſſed that juriſdiction with regard to the laws of revenue and trade. This clauſe it had in common with thoſe laws which had formerly paſſed reſpecting ſubjects of the like nature; but (and that was peculiar to this act) it provided a remedy for the *inconveniences* and *abuſes*, to which thoſe courts might be liable.

While our colonies were few in number, and ſmall in extent, the court of admiralty

admiralty could never be far diſtant from, nor its officers unknown to the clients in that court: but upon the encreaſe of them to their preſent greatneſs of territory and people, it had been a grievance complained of by the perſons the moſt loyally diſpoſed to the government of *England*, that the diſtance of many of the provinces from the ſeat of this court, with the difficulty of obtaining the aſſiſtance of lawyers, muſt often operate ſo as to bar the juſteſt claim; and deprive the ſubjects of their property, by diſabling them from proſecuting their right to it. Another material objection aroſe from the conſtitution of this court; in which the judge was paid by a poundage of the money ariſing from ſuch ſeizures as were condemned: this, as it made it his intereſt rather to condemn than to acquit, if it did not influence the deciſions of the judge, took from them however that air of impartiality which can alone ſecure to them reſpect.

To obviate the poſſibility of that fraud and oppreſſion to which theſe circumſtances might give riſe, a clauſe had been inſerted in the ſtamp act, giving a power of forming ſuch a number of courts of vice-admiralty, as might place the deciſion of his property more within the reach of every ſubject in *America*; and in execution of this deſign, thoſe who were then commiſſioners of the treaſury, formed and ſubmitted to the *privy council* a plan for appointing three courts of *vice admiralty*, with proper diſtricts, and with ample and honourable fixed ſalaries to the judges, in lieu of all fees; that ſo ſituated, and ſo ſupported, applications to them might be leſs expenſive and inconvenient, and their deciſions leſs ſuſpected [h].

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[h] Even this proviſion, which redreſſed a real grievance, which had been ſeverely felt and juſtly complained of, was rendered ineffectual in ſpite of all repreſentations, becauſe it had the ill fortune to ſtand a part of the *ſtamp act*. And the Americans, therefore

The treaſury, after conſulting the *board of trade* and the *agents* of ſeveral of the *colonies*, next applied themſelves to the dividing the country, in which the act was to operate, into ſuch diſtricts as might be moſt convenient for the receipt of the revenue, and leaſt troubleſome to thoſe from whom it was to be collected.

After receiving and conſidering the plans of the ſtamp office, who were neceſſarily to be employed in it, for carrying the law into execution, they formed ſuch inſtructions as might be adequate to the occaſions of the officers to whom the execution of it was to be entruſted.

The choice of theſe officers was of great importance; they did not therefore proceed to this haſtily, or in the com-

therefore, will owe the grievances which they ſuffer from the preſent ſituation and conſtitution of the court of admiralty, to the adminiſtration which repealed the ſtamp act.

common track of official recommendation: they waited till they received from the moſt reſpected men in each colony, applications in favour of perſons of the beſt credit in it; and they complied with theſe, both as it gave the beſt ſecurity for the diſcharge of the truſt to be committed to the officers, and as it might much facilitate the collection of the duty.

Whoever reads the liſt of diſtributors appointed on this occaſion, will ſee that the general intention was to beſtow that office on *coloniſts:* this would prevent the diſſatisfaction which muſt always and in every country ariſe, at ſeeing offices of profit in the collection of a duty impoſed on them, thrown into any other hands than their own; and would engage the principal men in each colony to ſupport the perſon whom they had themſelves recommended, to aſſiſt the execution of the law, and to conciliate to it the minds of their countrymen. The influence of this

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meaſure would be the more extenſive, as the appointment of the inferior diſtributors was neceſſarily reſted in the principal diſtributor for every province; the perſons appointed by him would, it is probable, be his friends, neighbours or dependants, coloniſts alſo; and the ſame motives would engage therefore throughout the country a number of coloniſts in the ſame cauſe.

In fact it appears, that this deſign was generally executed, except in the new colonies, in which deſcription *Nova-Scotia* and *Georgia* are included; in theſe it was ſcarcely poſſible that any natives ſhould be found capable of executing the office: but even in theſe the principal was ſo ſtrictly adhered to, that in *Nova-Scotia* a gentleman was ſaid to be therefore appointed becauſe he was one of the firſt *ſettlers* in that *colony*.

The board of treaſury was not leſs attentive to the other qualification of their officer, that he ſhould be not only

ly a coloniſt, but recommended by perſons beſt acquainted with, and moſt concerned and reſpected in the ſeveral provinces: few were appointed who were not either of the council or the aſſembly. The reader, perhaps, does not expect to be informed that *colonel Mercer* was recommended by *Mr. Montague, the agent for Virginia, in the name of the governor, council, and aſſembly of that province*; which *Mr. Mercer* himſelf inſiſted on, as his apology to the people of *Virginia*. Dr. *Franklyn, Agent for Penſylvania*, applied for, and ſucceeded in behalf of *Mr. Hughes*. *Mr. Coxe*, diſtributor for *New Jerſey*, owed the office to the ſollicitation of the ſame gentleman, whoſe *ſon* was then *governor of the province*; and beſides the application of *Mr. Anthony Bacon*, in favour of Mr. *Mac Evers*, for diſtributor of *New-York*, I nave ſeen the copy of a letter from *Mr. MacEvers* to *Mr. alderman Barlow Trecothic*, in which, to uſe his own expreſſion, he repeats *his great obligations* to that alderman,

derman, *for having him nominated a diſtributor of the ſtamps.*

In the purſuit of theſe plans, and before the officers could be ſent with thoſe inſtructions which were preparing for them, the adminiſtration was ſtopped by that change of government, of which, as the author of it is dead, I ſhall only ſay, that by placing *Mr. C----y* in the office of ſ-------y of ſt---e, for the ſouthern department, it entruſted the execution of a law, of the greateſt importance in its conſequences, to one of the very few perſons who had oppoſed the paſſing it. The conſequence has been ſuch as might have been expected, was foreſeen by thinking men, and, as will appear from the courſe of the evidence, *deſigned* by the *new miniſters.*

Previous to the *change of miniſtry*, not only the government had received no intelligence which might give them reaſon to ſuſpect *reſiſtance* in *America*;

even the perſons who were afterwards the moſt forward in magnifying this reſiſtance, and applying the arguments drawn from it to their own purpoſes, had then no expectation of it. It is not poſſible to ſuppoſe that *Mr. Trecothick*, *Mr. Bacon*, *Dr. Franklyn*, who ſolicited, *colonel Mercer*, and *Mr. Meſervè*, who accepted this office, would either have ſolicited or accepted it, if they had thought they ſhould have been expoſed to that violence, which the neglect of ſome, and the evil intentions of others, afterwards produced. Another and ſtill ſtronger proof ariſes from the teſtimonies of thoſe who were the beſt informed of the progreſs, and moſt intereſted in the ſucceſs, of this act in *America*. It is the opinion of almoſt every officer there, that it would be obeyed; an opinion given at a period of time ſubſequent to this, and even after an avowed reſiſtance to it had been raiſed, neglected and encouraged. It would be endleſs to quote all theſe opinions, ſome of them may be neceſſary, a few will be ſufficient.

In

In a letter from *New-York*[i] it is ſaid, *The people now begin to cool a little, and ſome of the moſt conſiderable of them to think how they ſhall do their buſineſs after the firſt of November, and cannot conceive of any method of doing it without making uſe of ſtamped paper; never was an act better made to execute itſelf than this is.*

Another writer from *New England*[k] (after a very exact deſcription of the pains taken to prevent the execution of the law) ſays, *I cannot help thinking that when a clear repreſentation of the miſeries which await the province, if the ſtamp act is not executed at its day, ſhall be made to them, they cannot but be alarmed; and muſt ſacrifice their prejudices and their popularity too, if neceſſary, to ſave their country from immediate ruin.*

In the colony in which the inſults on government had been moſt violent, a

[i] See letter to the commiſſioners of ſtamps, dated September 30, 1765.

[k] See letter to the lords of trade, dated September 7, 1765.

perſon well acquainted with theſe outrages ſollicits the appointment of diſtributor of ſtamps for the province, of which the mob had forced a reſignation from another hand; *That* [l] (theſe are his words) *I may likewiſe enjoy the advantage of that office when it is quietly ſubmitted to, as no doubt it will be in a few months.*

A letter from *Virginia* has this paſſage [m], *I am not altogether without hopes that the diſtreſs they will feel, on a total ſtagnation of buſineſs, will open their eyes, and pave the way for the act executing itſelf; for I am credibly informed, that ſome of the moſt buſy men, in oppoſing the reception of the ſtamps, are already alarmed at the conſequences of the imprudent ſteps they have taken.*

Even

[l] See letter to the commiſſioners of ſtamps, dated New-York, October 26, 1765.

[m] See a letter to the lords of trade, dated November 8, 1765.

Even ſo late as *December*, 1765, another [n] letter from *New-York* has theſe words; *Since that time nothing has been done, and we have waited to ſee the law execute itſelf, which I am perſuaded it muſt do ſhortly; for the ſuſpenſion of it has occaſioned ſo many inconveniences here, in every branch of buſineſs, that they do already begin to be ſeverely felt.*

Theſe circumſtances, ſays the ſame perſon [o], *induce me to think that the face of affairs will change very ſoon, and I hope in my next letter to give a more favourable account of our proceedings.*

And, to cloſe this point with an evidence of the ſtrongeſt kind, *the council and houſe of repreſentatives of Maſſachuſet's bay* ſpeak thus of the act [p] of the former ſeſſions, granting certain duties in

[n] See a letter from New-York to the lords of the treaſury, dated December, 1765.

[o] See letter to Mr. Conway, dated December 21, 1765.

[p] See addreſs, dated November 3, 1764.

in the Britiſh colonies and plantations in America: *To which act we humbly apprehend we may propoſe our objections, at the ſame time we acknowledge our duty to yield obedience to it while it continues unrepealed.*

This was the ſtate of affairs when that *miniſtry* was removed; the intention of removing them was declared in the middle of *May*, 1765. The next *adminiſtration* came into office in the beginning of *July*; Mr. *C——y*'s letter, which gives notice of his appointment to the ſouthern department, is dated the 12th of that month.

They had reaſon to know, from the intelligence of, and ſeveral letters received at the *ſecretary of ſtate's office*, that the objections to the *ſtamp act* were of three kinds; *the firſt* aroſe from the opinion [q] that the powers given by that act, to the court of vice-admiralty conſtituted

[q] See petition of council and houſe of repreſentatives of Maſſachuſet's bay

ſtituted over all America, would be grievous to the ſubject from the great diſtance of that court, and would diſtinguiſh the ſubjects in the colonies from thoſe in Great-Britain by depriving them of a trial by jury; *the ſecond* from the fear that it would exhauſt the provinces of their ſpecie; and *the third* from their claim to the privilege of judging of their own ability, and of having the ſole right of impoſing taxes on themſelves. To obviate the two firſt of theſe objections, nothing was required of them but to execute *the proviſoes* of the act, and thoſe other meaſures which the former *miniſtry* had already begun. With regard to the firſt, they had only to remind them that a juriſdiction had been aſſigned to the judges of the court of admiralty, upon the laws of revenue and of trade, without juries, for near a century paſt[1]. *The reaſon for putting theſe cauſes in a courſe of trial without any*

[1] See letter to ſecretary of ſtate, dated November 10, 1764.

any jury, undoubtedly aroſe from an apprehenſion that juries, in theſe caſes, were not to be truſted: the force of this reaſon may be abated, but I cannot think that it is wholly deſtroyed: no candid man will, I believe, take upon him to declare, that at this time an American jury is impartial and indifferent enough to determine upon frauds in trade. Theſe are the words of a very well informed and candid judge. They might have informed them, that it is ſo far from being true, that the ſubjects in North-America, by being deprived in theſe caſes of trials by jury, are in that reſpect diſtinguiſhed from their fellow ſubjects in Great-Britain; that in this very inſtance of the ſtamp duties, the penalties are, by the laws now in force for collecting them in Great-Britain, recoverable alſo *without trial by jury*, as well as on all the laws of exciſe, and many others reſpecting the public revenue in Great-Britain.

With regard to the ſeat and the ſupport of the court, the former *lords of*

the

the treaſury had made *a repreſentation to his Majeſty in council* (founded on a clauſe inſerted in the ſtamp act for this very purpoſe) ſtating * the expediency of giving the judges in America ſufficient and honourable ſalaries in lieu of all poundage and fees, and of eſtabliſhing three different courts of vice-admiralty, with proper diſtricts annexed to each. Had the ſucceeding *miniſters* condeſcended to execute, on this plan, the laws of their country, a plan which had been fully opened and approved in parliament at the time when the ſtamp act was propoſed, all the diſſatisfaction and clamour which aroſe from miſrepreſentation on theſe points had been remedied.

It would have calmed the fears which were expreſſed, that the colonies would be drained of their ſpecie, if the miniſtry had iſſued to the ſeveral officers the

F direc-

* See memorial from the commiſſioners of the treaſury to the privy council, dated July 4, 1765.

directions which the late commiſſioners of the treaſury had given on this ſubject, viz. [1] *That, in order to obviate the inconvenience of bringing into this kingdom the money to be raiſed by the ſtamp duties, all the produce of the American duties, ariſing or to ariſe by vertue of any Britiſh act of parliament, ſhould from time to time be paid to the deputy pay-maſter in America, to defray the ſubſiſtence of the troops, and any military expences incurred in the colonies.*

The laſt objection which aroſe from the claim of the colonies to an exemption from taxes impoſed by parliament, was to be treated in a different manner; as the two former were to be obviated by explanations, this, now the act impoſing a tax was paſſed, was to be repreſſed by authority. They ſaw that a part of the Americans was impatient of thoſe reſtrictions, which it is the intereſt of the whole empire to impoſe with regard

[1] See treaſury minute, dated July 9, 1765.

gard to their commerce; the late regulations of their trade had been petitioned against as grievous and oppreſſive, becauſe they contradicted their illicit views; and from the general temper of that country it appeared, that it was neceſſary to hold the rein with a temperate but firm hand. But beſides this, the fulleſt accounts were ſoon received of the turbulent and ſeditious behaviour of a part of *America*. So early as the 27th of July, 1765, a copy of the reſolutions of the colony of Virginia was tranſmitted to the miniſtry, in which the right of the parliament of Great-Britain to tax that colony is abſolutely denied: theſe reſolutions are printed in the appendix*. The Governor had thought it neceſſary to diſſolve an aſſembly capable of ſuch an inſult on the legiſlature of Great-Britain: at the time this pacquet arrived no board of trade exiſted, and the papers were therefore carried immediately to the ſecretary

* See Appendix, No. 7.

of ſtate. As ſoon as a new board of trade was formed they repreſented to the King in council that, [w] *Theſe reſolutions, as they contain an abſolute diſavowal of the right of the parliament of Great-Britain to impoſe taxes upon her colonies, and a daring attack upon the conſtitution of this country, appear to us to require an immediate and ſerious attention; and whatever further meaſures your Majeſty may, with the advice of your council, judge proper to be taken either for expreſſing your royal diſapprobation of theſe proceedings, or for preventing the fatal conſequences which they naturally tend to produce, we think it our duty to ſubmit to your Majeſty's conſideration, whether, in the mean time, it may not be expedient to diſpatch immediate inſtructions to your Majeſty's ſervants in your Majeſty's colony of Virginia, who may be concerned in enforcing the execution of the law for levying the duty upon ſtamps, that they do each in their ſeveral department, in ſup-*

[w] See the Repreſentation of the board of trade, dated Auguſt 27, 1765.

ſupport of the authority of parliament, vigorouſly exert themſelves, and, with becoming reſolution upon every occaſion, exact a due obedience to all the laws of the land.

But even this was not the only incitement to vigour which was given to adminiſtration; a much ſtronger was to be drawn from the intelligence they received of the ſtate of that province; they ſaw from it that theſe reſolutions which aſſert an independence upon England, were meant to be not merely verbal aſſertions, but principles of action; they were accompanied by a moſt alarming deſcription which was given of the ſituation of the colony, by one of the perſons beſt acquainted with it[x]: *The moſt ſolemn treaties* (he writes) *with our Indian neighbours have been moſt publicly violated. The violators of the treaty and public peace have been as publicly reſcued*

[x] See letter to the ſ——y of ſ—e, dated June 14, 1765, received Auguſt 8, 1765.

reſcued out of the hands of juſtice. Government is ſet at open defiance, not having ſtrength in her hands to enforce obedience to the laws of the community. But even this deſcription, alarming as it was, joined to the certain evil conſequence and great danger of delay, could not awaken the adminiſtration to the diſcharge of their duty. The letter which was written on this occaſion[y], inſtead of endeavouring to repreſs by authority this open defection in a provincial aſſembly; inſtead of encouraging the officers to the performance of their duty, inſtead of repreſenting the puniſhments due to diſobedience, takes that languid tone which muſt appear the effect of inability to maintain the empire of Great-Britain, or of a formed reſolution to ſacrifice it.

The ſ——y, in direct contradiction to the papers immediately before him, calls *the reſolutions the offſpring of the violence*

[y] See Appendix, No. 1.

violence of ſome individuals, and treats the coloniſts as diſpoſed to pay a wiſe and virtuous obedience; in that very important and critical hour, when the eyes of all America muſt be turned on the reception which ſuch *reſolutions* as thoſe of *Virginia* ſhould meet with in England, and on the conduct which *a new miniſtry* would hold towards the colonies, to take from thence inſtructions for their future behaviour; when they were to be reſtrained within the bounds of a dutiful ſubmiſſion, or excited to reſolutions of equal violence by the fate of theſe, he takes no ſtep to check their licence, or encourage their obedience.

Intelligence had been received, that new and unconſtitutional principles were avowed by the colony of Virginia; the principles of *independence on England*, and *exemption from taxes impoſed by the Britiſh parliament*; that many outrages had been committed in that colony; and upon the whole, *that government*

was

was ſet at open defiance. Upon this intelligence it was his duty to have given immediate ſupport to government, to have aſſerted the rights of England, and to have maintained them by holding out rewards to the obedient, puniſhment to the ſeditious; by giving activity to the civil, and, if neceſſary, to the military power; eſpecially and directly to have ſent the moſt poſitive inſtructions to the officers *to exact a due obedience to the laws of the land.*

It would ſcarcely be credited, were not the facts before the public, that, after waiting from the 27th of July to the 14th of September, before he returned any reply, the reply gives the officer to whom it was written neither inſtruction nor encouragement; that it does not even contain a direction to aſſert the authority of government, which had been defied, or to exact a ſubmiſſion to the laws and legiſlature, which had been renounced; *a reſpect to parliament, a confidential reliance of the colonies on the mother-*

mother country, theſe are the ſtrongeſt expreſſions in which the ſ——y of Great-Britain claims the obedience of her ſubjects: and, leſt even theſe ſhould ſeem to countenance any exertion of authority, he takes care to diſclaim giving any direction in them; *he will not pretend to give any advice or inſtructions on theſe ſubjects*; but refers the governor to an inſtruction to be hereafter received from the *privy council*. The queſtion was, whether the colonies are independent of the acts of the legiſlature of Great-Britain? A queſtion which, after ſo many acts of parliament immediately reſpecting and binding the colonies, no ſubject of Great-Britain could lawfully bring into debate, except in one of the houſes of parliament; and concerning which *they* ſhould leaſt of all have appeared to doubt, to whom the execution of the laws had been entruſted by *the King*, and who were reſponſible to the *parliament* and *the kingdom* for the ſupport of their authority. The making this a

queſtion, and referring to a privy council for a future deciſion of that on which the legiſlature had decided already ſo frequently and ſo expreſsly, tended therefore only to inform the officer that he could not depend either on direction or ſupport from England; and that it was ſtill a doubt if the government of this kingdom would aſſert her rights. Another proof that procraſtination alone was intended, ariſes from hence; the Virginia reſolutions were received *July* 27, 1765; this important matter, which the board of trade had repreſented as requiring *immediate and ſerious attention, and the diſpatch of immediate inſtructions*; and which muſt have appeared to the miniſtry to require them, as ſoon as they were acquainted with it; inſtead of being immediately attended to, was *referred to the privy council*; but it was not even referred to them till *September* 6, 1765, and no report was made upon it till *October* 3. The report when made is, That this matter was not within the deciſion of the privy council to whom

whom it had been referred; a report made by the very miniſters who referred it to that board; and in which, from his office, the ſ——y has the lead. The words of it are theſe[z]; *This is a matter of the utmoſt importance to the kingdom and legiſlature of Great-Britain; and of too high a nature for the determination of your Majeſty in your privy council, and is proper only for the conſideration of parliament.* It was for the ſake of this deciſion that the ſ——y deferred ſo long a matter of ſo much conſequence; a deciſion which he muſt have known at the time he wrote his letter to the governor of Virginia; a fuller proof cannot be imagined that a timid and fatal delay was all that was intended; and that at the very time when he aſſured the officer that he would receive the fulleſt inſtructions from the wiſdom of the *privy council*, he knew that board would have too much wiſdom to iſſue any upon a matter of too high a

[z] See report of committee of privy council, dated October 3, 1765.

nature for their determination. I ſaid he muſt have known that deciſion when he wrote the letter; and I ſaid this, not only becauſe he probably knew what that report would be which he was to direct; but chiefly becauſe it would be indeed extraordinary if the ſ——y of ſ—e could be entirely ignorant of the powers of his own office, and of the privy council. It is not neceſſary to be of that council to know that the execution of the laws is by the conſtitution reſted in the King, and delegated by him to the officers in each department; that the privy council cannot *deliberate upon the laws*, though they can aſſiſt the execution of them; and therefore that it was impoſſible for the privy council to make any other report than that which they did make. But it was in the power of the ſ——y of ſ—e to enforce the execution of the laws, it was his duty; he was called upon to perform this duty by the importance of the object, and the expreſs repreſentations of the board of trade; and the

referring

referring it therefore to the privy council could only be meant to weaken by delay a right, which he would not support, and durſt not ſurrender.

It is lenity to the ſ——y to attribute his reference and letter to this motive; to grant that he wrote it in direct contradiction to his own knowledge; and that he intended the governor, to whom it is writ, ſhould expect as little inſtruction from the deciſion of the privy council, as he himſelf knew it would contain.

It was indeed impoſſible for him to intend or wiſh that the governor ſhould underſtand the words of the letter according to their plain and obvious ſenſe, becauſe it was impoſſible for him to wiſh that the governor ſhould think him capable of avowing principles ſo full of treaſon and of danger: for if this letter indeed meant what it expreſſes, if it was deſigned to turn the eyes of the officers of the crown from the known and permanent authority of parliament,

to an inferior board; to teach them to look for directions for their conduct not to the laws of their country, but to the inſtructions of a privy council; he muſt be told that this principle, which attributes to the king in council the power of *diſpenſing with the laws of the land*, is the *higheſt treaſon* againſt the ſtate; that it coſt king James the ſecond his crown, and might coſt him his head.

The next advices from *America* were ſuch as might have been expected to ariſe from the negligence of the adminiſtration in Great-Britain. *A letter* addreſſed immediately to the ſecretary of ſtate informed him, that the capital of the province from whence it was written had ſhaken off all ſubjection to the laws both of trade and police, [a] *Two or three months ago*, ſays the writer of it, *I thought that this people would have ſubmitted to the ſtamp act without actual oppoſition*,

[a] See letter to the ſecretary of ſtate, dated Auguſt 15, 16, received October 14, 1765.

oppoſition. Murmurs indeed were continually heard, but they ſeemed to be ſuch as in time would die away; BUT THE PUBLISHING THE VIRGINIA RESOLUTIONS PROVED AN ALARUM BELL TO THE DISAFFECTED. *From that time an infamous weekly paper, which is printed here, has ſwarmed with libels of the moſt atrocious kind: theſe have been urged with ſo much vehemence, and ſo induſtriouſly repeated, that I have conſidered them as preludes to action; but I did not think that it would have commenced ſo early, or been carried to ſuch lengths as it has been.* Then follows an account of the particulars of the riot, and of the inſults which were offered to the officers of the revenue, merely becauſe they were officers: but theſe particulars, as they are not immediately eſſential to the preſent ſubject, and are in the higheſt degree diſgraceful to Great-Britain, are here omitted; but may be found in the letters to the ſ——y of ſ—e, dated Auguſt 15, 16, 1765, received the 14th of October:

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it is however neceſſary that the reader ſhould ſee the general ſituation of the province, as deſcribed in the ſame letter. *Every one agrees that this riot has exceeded all others known here, both in the vehemence of action and miſchievouſneſs of intention; and never had any mob ſo many abettors of conſequence as this is ſuppoſed to have had. It is ſaid there were 50 gentlemen actors in this ſcene, diſguiſed with trowſers and jackets on, beſides a much larger number behind the curtain.—The common talk is, that the ſtamp act ſhall not be executed here;—that the man who offers a ſtampt paper to ſell will immediately be killed;—that all the power of Great-Britain ſhall not oblige them to ſubmit to the ſtamp act;—that they will die upon the place.*—IN TRUTH IT WILL BE IMPOSSIBLE TO ATTEMPT TO CARRY THE ACT INTO EXECUTION UNTIL FRESH ORDERS AND POWERS ARE COME FROM ENGLAND. The ſame perſon, in a ſubſequent [b] letter adds, *I mention all theſe parti-*

[b] See letter to ſecretary of ſtate, dated Auguſt 22, received October 13, 1765.

particulars, that your lordſhip may judge yourſelf from real circumſtances; but it is my opinion, that the worſt that can happen ſhould be expected, and provided againſt.—I preſume that after this, the authority of an American government will never be left to the mercy of the people.

This violence of proceeding, and *the reſolutions of the repreſentatives of the province of Maſſachuſet's bay*, which were ſimilar to thoſe of *Virginia*, were referred to the *privy council, by the Board of Trade*, on the 1ſt and 11th of October, 1765. That board, at the ſame time, repreſented them to be *of dangerous tendency, eſpecially as connected with the ſpirit which had appeared throughout the whole conduct of this aſſembly;—and is, in truth, a daring attack upon the conſtitution of this country;—and in whatever light theſe diſturbances are viewed, whether in reſpect of the avowed object, which the perpetrators and abettors of them declare to be a general reſolution to oppoſe and prevent the execution of an act*

of the parliament of Great-Britain; or in reſpect of the ſtate of government and magiſtracy there, which ——— repreſents to be utterly incapable of reſiſting or ſuppreſſing theſe tumults and diſorders; they were of ſuch high importance, that no time was to be loſt in directing ſuch meaſures as might be moſt prudent and effectual.

Theſe repreſentations contain ſo juſt a ſtate of this important matter at that time, and of the impreſſion which the intelligence from America muſt make on all thoſe whom the moſt obſtinate prejudice had not hardened, that they are printed in the Appendix [c].

By this time the flame had begun to ſpread, and to threaten all thoſe who were concerned in the collection of any part of the revenue: one of the officers in America gave information [d], not only that

[c] See Appendix, No. 8, No. 9.

[d] See letter to board of trade, dated Auguſt 31, received about the 8th of October.

that THE PRINCIPAL PEOPLE OF THE TOWN OF BOSTON *publicly avowed and juſtified the act of demoliſhing Mr. Oliver's* (the diſtributor of ſtamps) *houſe, but that all kinds of ill humours were ſet on float; every thing that for years paſt had been the cauſe of any popular diſcontent was revived.—It ſeems the mob had ſet down no leſs than* 15 *houſes, in or near the town, to be attacked the next night;* AMONG WHICH WAS THE CUSTOM-HOUSE, AND THE HOUSES OF SOME OF THE MOST RESPECTABLE PERSONS IN THE GOVERNMENT.

A perſon immediately concerned in the collection of the cuſtoms writes thus*; *I conſider their fury againſt me to proceed from my capacity as an officer of the cuſtoms, and the check I am of courſe to their ſmuggling views; and from my having lately received an unpopular commiſſion relating to their riotous behaviour*

* See letter to ſecretary of ſtate, dated Auguſt 28, received October 21, 1765.

towards a ſhip which had been ſeized. *Thus our ſituation expoſes us to the lawleſs fury, not of a trifling mob, but of a whole country inflamed to an intolerable degree; ſubject to no rule or order, but abandoned and licentious in principle;—and without protection or ſupport, either to enable us to do our duty, or preſerve our peace in ſociety.* The ſame officer acquaints the commiſſioners of the cuſtoms[a] that, *The mob had the audacity to ſend meſſages, importing that, if we would agree to receive our fees* (for cuſtoms) *agreeable to their will and pleaſure, and would alſo deliver* the ſhips *now under proſecution, I might come on ſhore in ſafety, and rely on their protection.—The cuſtom-houſe, in conſequence of this, continued ſome days ſhut up.—I complained to the governor, and a principal magiſtrate of the perſon who ſent the above terms, with a view of having him puniſhed; and the magiſtrate's warrant was returned by the ſheriff*

[a] See letter to commiſſioners of cuſtoms, dated September 5, received October 21, 1765.

riff as impoſſible to be executed under peril of his life; ſo that I conſider this as an end of the proſecution for want of government, there being here an abſolute ſuſpenſion.

These tumults were not more dangerous to the government in themſelves, than to the dependence of the colonies upon Great-Britain in their conſequences, and from the principles which gave riſe to them. Care was taken to inform the adminiſtration of theſe, by tranſmitting to them thoſe anonymous papers, in which they are more openly avowed than it was poſſible for them to be in the reſolutions of any aſſembly; though the ſame turbulent and intereſted lawyers, who governed the councils of thoſe meetings, were well known to be the authors of theſe inflammatory papers.

In one of them, the Providence gazette extraordinary, Auguſt 14, 1765, we meet with the e, among many ſimi-

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lar ſentiments and expreſſions; *You, my countrymen, already feel ſome of the effects of this horrid policy, men of war, cutters, marines with their bayonets fixed, judges of admiralty, collectors, comptrollers, ſearchers, tide-waiters, land-waiters, with a whole catalogue of pimps, ſent over, not to protect our trade, but to deſtroy it.* It is adviſed to form in a general aſſembly, votes or reſolves to the following effect; *That his Majeſty and his ſubſtitutes, together with the general aſſembly of this colony, have, in their repreſentative capacity, the only excluſive right to lay taxes and impoſts upon the inhabitants of this colony; and that every attempt to veſt ſuch power in any perſon or perſons whatſoever, other than the general aſſembly aforeſaid, is unconſtitutional.—That his Majeſty's liege people the inhabitants of this colony, are not bound to yield obedience to any law or ordinance deſigned to impoſe any internal taxation whatſoever upon them, other than the laws and ordinances of the general aſſembly aforeſaid.* And to put it out of doubt

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on whoſe principles and examples theſe ſentiments were formed, the ſame paper proceeds, *We think that an addreſs of thanks ought to be voted by the general aſſembly, to thoſe gentlemen who diſtinguiſhed themſelves in the laſt ſeſſion of parliament, in defence of liberty and the colonies; in particular to general Conway, &c.*

But the officers in America not only repreſented their diſtreſs, but the means too by which they might be relieved; they called for inſtructions from the government at home, that they might execute every part of this act; for aſſiſtance, that they might enforce it. There is ſcarcely an officer who does not complain, that he has received no inſtructions for the execution; many, that they have not even an authentic copy of the act. There is ſcarcely a governor who does not expreſs his weakneſs, and implore the ſupport of that government for the intereſts of which he acts; without, therefore, accumulating any

more intelligence received from other hands and other quarters, and which is all of the ſame kind, it is now time to examine what meaſures were taken by adminiſtration, to check, repreſs and correct tumults, which ſtruck at the very foundations of government.

It was plain, that although the ſtamp act was the pretext, the reſtrictions upon their trade, which are ſo neceſſary, and their deſire *to be* independent of England, were among the real cauſes of many of the American tumults; that impatience of all government which ſome of the coloniſts expreſſed, that oppoſition both to the former and latter cuſtom-houſe and commercial laws, which ſome even of their aſſemblies avowed, required to be immediately and effectually controuled. The neceſſity of this meaſure was not unknown to the adminiſtration; the repreſentations of the board of trade had forced it upon their attention, and they themſelves confeſſed it to be of *the utmoſt*

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importance to the kingdom and legiſlature of Great-Britain. It was indeed of importance, for it imported no leſs than the maintaining the dependence of colonies more extenſive than any nation before ever poſſeſſed; and the retaining in obedience to commercial laws, and directing the induſtry of an empire, upon whoſe conſumption of our manufactures the trade and credit of this kingdom ſo immediately depend. To ſecure theſe intereſting objects the reader expects to hear, that the moſt vigorous meaſures were planned and executed; that the ſtrength of government in that country was accurately examined, and judiciouſly diſpoſed; and that ſuch additions to this, both of a military and naval kind, were prepared, as the occaſion called for; and which being directed (if neceſſary) againſt thoſe who were moſt forward in rebellion, might, by repreſſing theſe, prevent the crime and the puniſhment of the reſt. This might have been the conduct of *ordinary* ſtateſmen; our miniſters deſpiſed ſuch ob-

vious remedies; and after much deliberation determined, that in order to check the mutinous, and correct the rebellious coloniſts, to vindicate the authority of parliament, maintain the empire of Great-Britain, and reſtore the peace of America, *Mr. ſ——y C—y ſhould write them a letter.* This ſtep which was neceſſary, and might have been effectual if taken in the beginning of theſe diſturbances, and ſupported by authority, became ridiculous when alone, and in a ſtate of ſuch extreme tumult; and reminds one of a ſimilar expedient, related in the memoirs of Madame de Nemours. *Mr. de Beaufort de ſon côtè, qui n'en faiſoit pas moins que le coadjuteur* (pour s'oppoſer a cette paix) *et qui cherchoit tous les moyens imaginables de l'empêcher, crut en avoir trouvé un infaillible, qu'il propoſa a Mr. de Belliévre, en lui demandant par maniere d'avis, ſi en donnant un ſouflet à Mr. d' Elbeuf, il ne changeroit point la face des affaires: à quoi Mr. de Belliévre répondit d'un ſang froid plus digne de ſa*

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gravité que de la queſtion, qu'il ne croyoit pas que cela pût changer autre choſe que la face de Mr. d'Elbeuf.

But as this was the only ſtep which they propoſed to take, why was it ſo long delayed? The moſt alarming informations had been received by them ſo long ago as the 27th of July; they could ſcarcely be ignorant that, in popular tumults, an immediate execution of authority is required, and that delay gives to them confidence and ſtrength: in this exigence therefore no degree of delay can be vindicated, even the ſ—cr—y does not attempt to vindicate, he diſowns it; he aſſerted in public, what he has written in his letter [t] of the 15th of December, 1765, that his inſtructions (dated the 24th of October, 1765) *were ſent on the firſt notice of theſe diſturbances*; and yet it is proved by his own evidence, that on the 27th of July, 1765, that is at three months diſtance

[t] See Appendix, No. 5.

from that time, he had received the *Virginia reſolutions*, that *daring attack upon the conſtitution of this country*, and intelligence that *government was ſet at open defiance, not having ſtrength in her hands to enforce obedience to the laws of the community.*

But I have done with the delay, and the denial of it; this delay had at leaſt given him time to form a plan of action, which ſhould be extenſive and effectual when he ſhould begin to operate; he had had leiſure to conſider the particular ſtate of every province, and to compare the diſorders which were complained of, with the reſources which were to be found, and might be applied in each. In fact, there was great reaſon for an attention of this kind, for the provinces were known to be in very different ſituations; in ſome the mob appeared alone in the riots, while thoſe who had any thing to riſque in the conteſt, contented themſelves with giving to them concealed encouragement; in others, the

principal

principal people of the town avowed the utmoſt violences; in one they had not yet *declared* their reſolution of freeing themſelves from all cuſtom-houſe laws, though they had marked the cuſtom-houſe for deſtruction; in another they already refuſed to pay any cuſtoms but ſuch as they themſelves ſhould regulate the payment of: the riots at Boſton were very different in their nature and purpoſes from thoſe which had ſhaken Rhode-iſland; the Virginia reſolutions had been, and were *the alarum-bell to the diſaffected*, calling them to tumult and outrage; while the plan of a general aſſembly of committees, which had proceeded from Maſſachuſet's-bay, diſcovered more of a regular ſyſtem of reſiſtance. The reſources too were as different as the difficulties; they were to be drawn from the particular conſtitution and ſtrength of each government, the temper of the people, the neighbourhood of the military force, and a thouſand other circumſtances, of which the ſ——y was informed.

The

The public will judge of the ability ſhewn by him in adapting the inſtructions and aſſiſtances to the particular ſituation of each province, when they find that [h] *the letter to every governor on the continent and in the iſlands*, excepting one, *is exactly the ſame*; and that this ſame letter, like *Jack's parchment in the tale of a tub*, ſerves too, by the alteration of a very few ſentences, for [i] *military orders to the commander in chief of the Britiſh forces in America*. It was not poſſible that diſorders ſo various and ſo violent could be remedied by one application; and the preſcribing for diſtempers ſo very different the ſame inſipid potion of warm water, is a practice of which our ſtate *Sangrado's* alone were capable. In the letter [k] to the governor of Maſſachuſet's-bay there is indeed ſome difference; the reader, who is informed that the project of a general combination of America took its

[h] See Appendix, No. 4. [i] See Appendix, No. 2.
[k] See Appendix, No. 3.

its riſe in that province, immediately ſuppoſes that in this ſeparate diſpatch ſome ſpecial inſtructions are given to prevent, diſſipate, or elude the operations of this meeting; it is neceſſary to read this letter, to be convinced that in it no notice whatever is taken of the unprecedented, unconſtitutional and dangerous deſign.

They had, at the time when this letter was written, received the fulleſt and moſt authentic intelligence, that ſome of the ſubjects of England had refuſed obedience to an act of the legiſlature; and forced the officers to whom the execution of it in America was entruſted, to reſign their poſts. To be perfectly acquainted with the means uſed for the attainment of this end; to judge of the temper of the colonies, and of the ſtate of government in them, ſee Appendix, No. 12. The ſtate of the matter is ſo exactly deſcribed, in a letter addreſſed to Mr. *C——y*, that it is here referred to, though it was not received

ceived till four days after *the date* of his diſpatch; becauſe it might, and ought to have been ſeen by adminiſtration, in the ſame light in which it was by the writer of this letter. It appears from thence [1] that *the general ſcheme concerted throughout America was, firſt by menace, or force, to oblige the ſtamp-officers to reſign their employments, in which they had generally ſucceeded; and next to deſtroy the ſtamp-papers upon their arrival; that, having no ſtamps, neceſſity might be an excuſe for the diſpatch of buſineſs without them; and that before they could be replaced, the clamour and outcry of the people, with addreſſes and remonſtrances from the aſſemblies, might procure a repeal of the act.*

It was no part of the queſtion, whether the miniſtry for the time being approved of the principles and purpoſes of that act or not. The power of judging whether or no an act of parliament ſhall

1 See Appendix, No. 10.

ſhall be carried into execution, is not by the conſtitution entruſted to any miniſtry. THE BILL OF RIGHTS, as it was drawn on account of this power uſurped by the crown, ſo it is moſt expreſs againſt the exertion of it. The patriots of that age had felt the extenſive effects of this diſpenſing power; and had ſeen it bring their religion and liberties into the moſt imminent danger; to prevent therefore the poſſibilty of any future miniſters being ſo much warped from their duty as to ſuſpend the execution of the law, THE BILL OF RIGHTS declares, that *this pretended power of ſuſpending of laws, or the execution of laws by regal authority, without the conſent of parliament, is illegal.*

But be it that they had a right to ſuſpend the execution of this law, becauſe they did not approve it; they were apprized, that there had ariſen in America a ſpirit of oppoſition to the whole ſyſtem of cuſtom-houſe laws, an impatience of thoſe ties, which even

the moſt partial to the claims of the colonies muſt confeſs to be neceſſary for the common good; that *the merchants*[m] *there think they have a right to every freedom of trade, which the ſubjects of Great-Britain now enjoy:* a freedom which would render the colonies not only of no benefit, but in the higheſt degree prejudicial to the commerce and welfare of their mother-country. This opinion, and they did not content themſelves with the bare opinion, made it neceſſary to ſecure the collection, not of a new and internal, but of old external duties, which had ever been ſubmitted to, and conſtantly though imperfectly collected; and to eſtabliſh the great act of navigation; which was the effect of wiſe and extenſive policy, gave the deepeſt wound to the trade and power of Holland, and acquired to England the maritime empire of Europe.

But

[m] See letter to Mr. C——y, dated November 7, 1765.

But be it, that the laws of the cuſtoms too were to be diſpenſed with; granting that they were all repealed by that voice, and at that moment when it was declared, that *the ſalvation of Great-Britain depended on a total repeal of all cuſtom-houſe laws, and the univerſal extenſion of the laws of exciſe,* and therefore that it was no part of the duty of adminiſtration to enforce the execution of them; ſtill there remained the ſtrongeſt reaſons for a ſpeedy and vigorous interpoſition: the Engliſh government in America was *weak, precarious, unable to ſecure the execution of the common laws of peace and good order, inſulted, defied.* Theſe diſorders, ſo diſgraceful in themſelves, ſo dangerous in their conſequences, required to be immediately and effectually controlled; and would have been controlled by any miniſters but thoſe *quibus patriæ ſalus & dignitas poſterior ſuâ dominatione & domeſticis commodus fuit.*

The ſtamp-act was avowedly rejected, the cuſtom-houſe laws openly vio-

lated, the officers menaced, insulted and spoiled, the offenders unpunished, and government dissolved. Read now the dispatch of the 24th of October *, which was to contain the s——y's fullest instructions; you will not find in it any instructions whatever; *at this distance he does not think it possible to give positive instructions* to the officers, not even instructions to obey and to enforce the laws of their country. This duty, which should have been the first object of his care and directions is entirely omitted; the utmost vigour which he recommends rises no higher than to *repell acts of outrage*, not to punish them, or to maintain and execute the laws of England. But even this degree of exertion is not to be resorted to till the last extremity; *lenient and perswasive methods, the utmost lenity*, these are the arms which he directs the governors and the commander in chief to oppose to the revolt which he saw so universal.

He

* See Appendix, No. 4.

He had been repeatedly informed that the ſchemes of independence were formed *and guided by the lawyers, and ſupported by the principals of the provinces*°; but as this encreaſed the danger of the inſurrections, and the neceſſity of an interpoſition, he contradicts without heſitation the intelligence in his hands, and *hopes and expects* (which words if they can mean any thing as applied to a thing paſt muſt mean *believes*) *that this reſiſtance to the authority of the mother-country, can only have found place among the lower and more ignorant of the People.* Inſtead of

° To the other proofs of this add the following extract of a letter to Mr. C——y, dated December, 21, 1765, and therefore ſubſequent to his letter.

The lawyers are the ſource from whence the clamours have flowed in every province. In this province nothing publick is tranſacted without them, and it is to be wiſhed that even the bench was free from blame. The whole body of merchants in general, aſſembly-men, magiſtrates, &c. have been united in this plan of riots, and without the influence and inſtigation of theſe, the inferior people would have been quiet: very great pains were taken to rouze them before they ſtirred.

See too a curious paper in Appendix, No. 11.

of that tone of authority which alone can enforce obedience of thoſe orders and directions which the dangerous ſituation of America, and the requeſts of the officers there called for, the whole tenor of his letters is languor and debility; it is true that ſuch vague and general expreſſions are uſed, as leave the writer at liberty to own or to diſavow the meaſures which ſhall be perſued after the receipt of the letter; to divide with or take from the officers to whom it was addreſſed, the reputation of their ſucceſs; or to turn on them alone the odium of a miſcarriage; and ſuch qualifying words intermixed, as by a cautious hand are ever uſed to prevent if poſſible any parliamentary danger; but it is impoſſible to read it without ſeeing that the intent is rather to check, than to excite the ardour of the officers of the crown; not to quell the riots of which he ſaw the tendency, but to elude any operations which might diſcourage thoſe diſturbances by which he meant to profit. If this purpoſe was leſs evident

than

than it is in his diſpatches, it is put out of doubt by the declaration which the ſame officer is ſaid [p] to have made, *that he would ſooner cut off his right-hand than order troops to march to ſuppreſs this claim of freedom.* His letter is perfectly conſiſtent with his declaration; and tho' we lament that his conduct has loſt to Great-Britain the hands of all the inhabitants of America, yet we muſt acknowledge that the right-hand of that right honourable Gentleman is perfectly ſafe.

To be convinced of the evil effects which theſe his diſſertations upon prudence and levity muſt have had in the midſt of ſo much tumult, let us ſuppoſe for a moment that the procraſtinating ſ——y had ſtill procraſtinated; even his delay or his neglect would have been leſs pernicious to his country than diſpatches of ſo much *Caution.* The officers in America might ſtill have hoped

[p] This is expreſt doubtfully, becauſe the authority is doubtful.

hoped, that their obedience to the laws of England, amidſt the general contempt of them, would be eſteemed a ſervice, and receive encouragement and ſupport; they might have continued to encourage the loyal, and to check the violence of the rebellious, by turning the eyes of both towards *Great Britain*, who would reward her friends, chaſtiſe her foes, and vindicate her juſt authority. The arrival of the pacquet deprived them even of this reſource: They ſaw the miniſters in England either too timid to enforce the law, or determined to ſuſpend and repeal it; and they ſaw therefore the folly of expoſing themſelves to the fury of an enraged people, in ſupport of an act which the adminiſtration did not intend to execute. If theſe obvious reflexions did not immediately occur to the officers themſelves, they were however ſoon ſuggeſted to them by the oppoſers of the act; for the Americans ſaw this conduct in its true light; in that in which the ſ——y muſt have wiſhed them to ſee it: They had formed hopes

of

of it as ſoon as they were informed of his promotion; they expreſs them thus[q], *it may be worth the ſerious conſideration of thoſe who would officiouſly endeavour to enſlave their countrymen, to enforce it (the ſtamp-act) whether they will not be more likely to receive the frowns, than the ſmiles of their ſuperiors, for their activity in ſo odious an office.*

When therefore the diſobedient ſaw theſe expectations anſwered by the ſ——y's diſpatch, they, who had no reſtraint upon them but the fear of Engliſh diſpleaſure, were convinced too by theſe letters that they might offend with impunity; when they ſaw a total annihilation of government ſubmitted to, and an avowed and violent reſiſtance to the Engliſh parliament calling forth the *utmoſt lenity*, they perceived that the miniſtry, though they did not yet venture to avow, did however approve their proceedings; that they had nothing to fear from their diſpleaſure, or

[q] See Conſtitutional Courant, No. 1.

from their orders, without which no American officer would take any deciſive ſtep; and they received from hence that kind and that degree of encouragement which nothing elſe could have given to them.

The intentions of the miniſtry are proved, not only by the ſteps which they did take, but alſo from their neglect of thoſe which they ought to have taken. It is not always juſt to argue a criminality of this kind from an omiſſion, but it is impoſſible not to deduce it in this caſe; becauſe the omiſſion was that of a ſtep which the importance of the object, the requiſitions of the American officers, and the repreſentations of the Board of Trade had ſhewn them to be neceſſary, and which they had confeſſed to be ſo *in their own report*.

To be convinced of this, let us ſuppoſe that every thing hitherto had been well conducted; let us grant, that on the 14th of September the ſ——y could

not

not even gueſs what he ſhould determine on the 3d of October, concerning a matter, on which he had had the time paſſed ſince the 27th of July to meditate; and therefore that he acted with all poſſible vigour as well as caution, when, after an interval of more than ſix weeks, he referred the officers in America to a future deciſion of the privy council for their inſtructions; let us imagine too, that till the 3d of October he thought ſo lightly of the privy council, as to expect that they would decide on a matter too high for their deliberation; and that he did not know that it was neither his nor their province to debate upon the propriety of laws, but that it was his duty to addreſs himſelf to the execution of them. At leaſt, by the *report* of the privy council made on that day, his uncertainties muſt have been removed; they were removed; he himſelf joins at leaſt in that report which declares that, *this matter is proper only for the conſideration of parliament*. There never had ariſen a point

which, from its importance both in itſelf and in its conſequences, called more loudly for the intervention of that aſſembly: the ſupport which might be claimed from near two millions of people was to be determined by it; and the queſtion whether Great-Britain has a right to the obedience of her colonies, was involved in the deciſion.

This report had been made on the 3d of October; by the 8th of that month the adminiſtration had authentic and particular intelligence, that the principles of reſiſtance and independence, which had been unchecked, had produced their natural conſequences, tumult and rebellion. What now does the reader expect from a miniſtry, which doubtful in itſelf, and looking round for direction, had not hitherto been able to receive any, but that they ſhould immediately have had recourſe to that council for which no matter is too high; from which the repeal of every law found inexpedient is to take its riſe, the

authority

authority of which would ſecure obedience to it till the propriety of the repeal had been conſidered, and to which the repreſentation of the Board of Trade and *their own report* referred them? The great council of the kingdom? He expects to ſee a proclamation, dated on the 9th of October, which would have aſſembled the parliament by the latter end of November. An immediate call of the ſenate was the more neceſſary, becauſe it was reaſonable to expect that the diſcuſſion of ſo important a ſubject would employ ſome time; the adminiſtration *could not be aſſured* that the parliament, which had been almoſt unanimous in approving the principles, and enacting the clauſes of the ſtamp-act, would immediately and without heſitation conſent to the repeal of it. The fact is, that ſixteen days after the receipt of this intelligence, the miniſtry, in ſpite of the call from the diſtreſs of a whole continent, from their own neglect, from their own acknowledgments, adviſed the k—g to prorogue the parliament;

liament; it was prorogued on the 24th of October, and on the very ſame day on which they betrayed the empire of Great-Britain, by the timid duplicity of the inſtructions ſent abroad, they deprived her too of the aſſiſtance which might have been received from more vigorous counſels at home.

A conduct which can be accounted for only by one motive; they had reſolved from ſpleen, faction, jealouſy, or reſentment to repeal an act, the ſucceſs and good effects of which would ſtill have encreaſed the reputation of the miniſter who planned it; they feared that the authority and the wiſdom of parliament would be able even yet to check the rebellion of the provinces, and enforce the law; they wiſhed this rebellion ſhould gain ſtrength, that they might apply to the fears of thoſe, whoſe reaſon they could not hope to convince; they ſacrificed to theſe views the permanent intereſts and honour of the ſtate, and encouraged by their connivance,

and

and by the prorogation of the parliament, that reſiſtance and thoſe tumults, which they meant to apply to their own factious purpoſes.

Unhappily for the public, theſe deſigns were but too ſucceſsful; the riots in America became more general, and more dangerous: it will appear by the intelligence ſubſequent to this period, of which I ſhall now ſtate ſome part, as nearly as may be, in the order of time in which it is dated, that even their wiſhes could not form a ſcene of greater anarchy than their conduct had produced in America; that they were informed very minutely of a total diſſolution of every part of government, and that although the ſtamp-act was the pretext, yet the cauſes and the objects of their reſentment were alſo the reſtraints on their trade, and their ſubjection to Great-Britain: theſe were really felt, while the ſtamp-act, which was formed to execute itſelf, which affected ſcarcely any but thoſe of whoſe ability the very

payment

payment was a proof, which was confeſſed by the Americans to be the moſt eligible of all the taxes which could be impoſed, and which, as it had not been executed, could not yet have been oppreſſive, was only the occaſion of theſe inſurrections.

This opportunity was taken (ſays the writer of a letter from America) *to ſhew their reſentment to every officer under the crown; and particularly to the officers of the cuſtoms in this port; with whom they had been and ſtill continue to be much diſpleaſed, for their vigilance in putting the acts of trade in force, and endeavouring to prevent abuſes of the ſame.* A letter to the ſ——y has this paſſage[1]; *The country has grown more and more enflamed; every where have been heard loud declarations that they would not ſubmit to the ſtamp-act upon any account,*

[1] See letter to commiſſioners of cuſtoms, dated September 7, 1765.

[2] See letter to Mr. Conway, dated Sepember 28, 1765, received November 4.

count, or in any inſtance.—I obſerved that the violences of the mob had intimidated ſome of the beſt people in the province, and left the cauſe of the king and parliament almoſt without an advocate.

It is apparent, from their proceedings[1], *that there is among them an intention and an expectation of improving the preſent ill humour of the people into an actual breach with Great-Britain; or at leaſt of gaining ſuch a triumph over Great-Britain, by obliging her to repeal this law under an actual reſiſtance of it, as to make her authority contemptible hereafter.*

The ſteps they took for this purpoſe, in one of the provinces, were theſe; [2] *One and all cried out, let us ſee who will dare put the act in execution, upon the governor's appointment; we will take care of that.*

[1] See letter to Mr. Pownall, dated October 1, 1765.

[2] See letter to the commiſſioners of ſtamps dated October 12, 1765.

In another government this paper was paſted up at the door of every public office, and at the corners of the ſtreets;

Pro Patriâ.

The firſt man that either diſtributes, or makes uſe of ſtamped paper, let him take care of his houſe, perſon and effects.

We dare. *Vox Populi.*

I ſhall conclude (ſays an intelligent writer[w]) *with the following obſervation, that if Great-Britain can or will ſuffer ſuch conduct in her colonies to paſs unpuniſhed, a man need not be a prophet, or the ſon of a prophet, to ſee clearly, that her empire in North-America is at an end.*

But whether his Majeſty[x] *and his miniſters can or will wink at and overlook theſe inſults and outrages, and permit their coloniſts*

[w] See letter to commiſſioners of ſtamps, dated October 12, 1765.

[x] See letter to commiſſioners of ſtamps, dated November 2, 1765.

coloniſts to refuſe obedience to an act of parliament, and alſo to declare it illegal and unconſtitutional, the writer does not determine.

Britain (ſays the ſame correſpondent, in the ſame letter) *muſt firſt determine, whether ſhe is to govern or not; and whether ſhe will permit us to put ourſelves under the protection of France or Spain; as many upon the continent declare they will ward off the ſtamp-act until they can get France or Spain to protect them.—The iſſue of this act will abſolutely determine Britain's ſovereignty in America; for if by theſe rebellious methods we can get this act repealed, I doubt not but ſome of my children will live to ſee a duty laid by the Americans on ſome things imported from Great-Britain.*

A perſon very well informed, and very capable of judging, writes thus; *You may imagine that the popular party*

y See a letter to the lords of trade, dated November 30, 1765.

is greatly elated with this acceſſion of ſtrength, founded upon the ruins of the power of government. Some of them talk of it with an indiſcretion that is amazing, as if this town was to remain for ever independent of the king's government. One ſays, there has not been enough done; there wants more correction: another ſays, let us ſee now who will ſeize merchants goods; what judge will condemn them; what court will dare to grant writs of aſſiſtance now. Others talk as familiarly of turning out the governor, for adhering to the king and parliament, as they could do at Rhode-iſland or Connecticut.

The [z] leaders or conductors of the mob had offered to take any kind of goods, liable to ſeizure, under their protection; and bid defiance to the officers of the cuſtoms.

They [a] had ſurrounded the cuſtom-houſe, and demanded the perſons of the collector and comptroller.

The

[z] See letter to commiſſioners of cuſtoms, dated September 7, 1765.

[a] See advertiſement, dated September 2, 1765.

The riot raiſed on the 1ſt of November, in New-York, was ſo unprovoked, and, in its conſequences, ſo dangerous a defiance and attack on government, that the account which was publiſhed of it by themſelves is printed in the Appendix. See Appendix, No. 13.

In this riot the lieutenant-governor had been abuſed, inſulted, and plundered; and major James, after ſuffering the ſame violences, had been obliged to withdraw himſelf from their fury, by taking refuge on board a ſhip, and to leave a country, in which [b] *no objection could be made to him, but his daring to put the king's fort into a ſtate of defence againſt the ſovereign lords the people, as they ſtyled themſelves; and for which offence they reſolved to make him an example of their diſpleaſure.*

But (ſays a correſpondent, [c] ſpeaking of a recent riot) *it was deſigned as an inſult*

[b] See letter to Mr. C——y, dated December 13, 1765.

[c] See letter to Mr. C——y, dated December 18, 1765.

inſult upon the king's authority, as a terror to the king's officers, and to ſhew that they were nothing in the eyes or the hands of the people.

"*The ſtate and anarchy and confuſion we are now in* (ſays a writer well qualified to judge) *is beyond deſcription; every thing being under the power of the people, who undertake to govern in all caſes, and regulate all public affairs.*—I BELIEVE THEY THINK THE MOST EFFECTUAL WAY TO GET THE ACT REPEALED, IS TO INSULT THE AUTHORITY THAT MADE IT.

Alarming and rebellious as this conduct appears, the danger of it, and the importance of checking it, was ſtill increaſed by the principles which produced and accompanied it: theſe may be found in the popular publications in America, with regard to Great-Britain, which is deſcribed in one of them[a] as

[a] See letter to commiſſioners of ſtamps, dated December 3, 1765.

[a] Providence Gazette, Auguſt 24, 1765.

a mother-country, who, in their ſtupidity, have judged it criminal for us to become our own manufacturers.

Theſe are ſome of the political principles which they contained and diſperſed [f]. *The public faith of the nation, in which till now we thought we might ſecurely confide, is violated, and we robbed of our deareſt rights, by the late law erecting a ſtamp-office among us.—Let us boldly deny all ſuch uſurped juriſdiction* (it is the juriſdiction of the Britiſh parliament of which he ſpeaks) *we owe them no more ſubjection, in this reſpect, than the Divan of Conſtantinople.—The true lovers of liberty, who deteſt and abhor the ſtamp-act from principle, and a certain knowledge of their rights violated by that act.—An act illegally obtruded upon us to deprive us of our moſt ſacred rights, and change our freedom to ſlavery, by a legiſlature who has no lawful authority over us.—But how came the Engliſh parliament by ſuch a right over us?—Their power*

[f] Conſtitutional Courant, No. 1.

power (with regard to liberty and property) *is purely local.—Heaven defend us from ſuch repreſentatives.—They have taken upon them to deprive us of our rights, which are not under their juriſdiction.*

Theſe and the like principles, which were conſtantly publiſhed [g] *to ſerve the purpoſe of exciting the people to diſobedience of the laws, and to ſedition,* were not the productions *of the lower and more ignorant of the people,* but, as a perſon, who knew the characters of the men, informed Mr. C——y, [b] *ſome of the moſt popular lawyers are the authors of theſe ſeditious papers; and have been countenanced by ſome of the judges, and others of the higheſt truſt in the government.*

Indeed the influence and ſupport of the writers was ſo extenſive, that the council

[g] See letter to Mr. C——y, dated September 23, 1765. received October 28.

[b] See the ſame letter.

council of the province agreed [j] *That it was not a proper time to profecute the printers and publiſhers of theſe ſeditious papers; the Attorney General likewiſe not thinking himſelf ſafe to commence any ſuch proſecution.*

But theſe principles were not confined to particular perſons, the general aſſembly of Maſſachuſet's-bay had actually prepared a bill enacting, [k] *That it ſhall and may be lawful to do buſineſs without ſtamps, the act of parliament to the contrary notwithſtanding.*

The people of Connecticut, (ſays a correſpondent [l] of Mr. C——y's) *who are embodied in form, have declared publicly, that all power is from the people; that it is granted with certain bounds, that if thoſe bounds are exceeded, power devolves to*

 the

[j] See letter to Mr. C—y, dated September 23, 1765. received October 28.

[k] See letter to Mr. Pownall, dated October 26, 1765.

[l] See letter to Mr. C---y, dated December 19, 1765.

the people; that where there is no other redreſs, as in the ſtamp-act, the people ſhould reſume their power; therefore they recommend, with threats againſt diſobedience, that the public officers ſhould proceed in their buſineſs without ſtamps: this is a formal reſumption of government by the people.

The aſſembly of New Jerſey reſolved, nem. con. [m] *That all ſupplies being free gifts; for the people of Great-Britain to grant to his Majeſty the property of the people of this colony, without their own conſent, and being repreſented, would be unreaſonable; and render uſeleſs legiſlation in this colony in the moſt eſſential point.*

Among the votes of the aſſembly of New-York ſtands the following; [n] *Reſolved, nem. con. That it involves the greateſt*

[m] See extract from Votes of Aſſembly of New Jerſey, November 30, 1765.

[n] See extract from Votes of Aſſembly of New York.

greateſt inconſiſtency with the known principles of the Engliſh conſtitution, to ſuppoſe that the honourable Houſe of Commons of Great-Britain, can, without diveſting the inhabitants of this colony of their moſt eſſential rights, grant to the crown, their, or any part of their eſtates, for any purpoſe whatſoever.

Each of theſe reſolutions were accompanied by others of the ſame nature and tendency, which were deſigned to eſtabliſh the claim of an abſolute independence on the Britiſh parliament. That the reader may be enabled to judge of the ſpirit and purpoſe of them, thoſe of Philadelphia are printed more at length in the Appendix. See Appendix, No. 14.

It was to enable them to maintain this independence, that an unprecedented, illegal and dangerous meeting of committees from all the provinces was aſſembled at New York, to enable them, in their own expreſſion, to become *a*

bundle of ſticks, which can neither be bent nor broken. Other pretences were given to this aſſembly, but its tendency, and the ſpirit of thoſe who compoſed it, are thus deſcribed by a very judicious hand; ° *They are of various characters and opinions, but it is to be feared, in general, that the ſpirit of Democracy is ſtrong among them. The queſtion is not of the inexpediency of the ſtamp-act; or of the inability of the colonies to pay the tax; but that it is unconſtitutional, and contrary to their rights; ſupporting the independency of the provinces; and not to be ſubject to the legiſlative power of Great-Britain.*

There was no ſtep which required more the interpoſition of government than this: if the other inſtances of their ſeditious temper might be called ſudden tumults, which built on no premeditated deſign, and directed only to temporary purpoſes, might ceaſe with the preſent

° See letter to Mr. C——y, dated November 12, 1765.

preſent frenzy, and leave their traces only in the devaſtation they had committed; this was more hoſtile in its appearance, implied more of a deep and dangerous ſpirit of determined revolt, and by the very precedent left the moſt alarming conſequences: and yet although the nature, deſign, and conſequences of this meeting, were repeatedly and by various hands pointed out to them, the adminiſtration obſerved, during this whole proceeding, a total ſilence; and left the Americans unreſtrained to form a general congreſs, which, bearing the appearance of a national, as the ſeveral aſſemblies bore of a provincial repreſentative, might turn the eyes, affections and reſpects of the coloniſts from the legiſlature of Great-Britain to this American parliament.

Even the laſt ſtep of formed and avowed rebellion was ventured on by them; that of raiſing a regular body of forces to be oppoſed to thoſe which England might employ.

In

In this town (ſays a [p] perſon on the ſpot) *all power is in the hands of the people; out of which, under pretence of uniting two parties in the town, are formed two companies, under two profeſt captains; who are ſaid to be able to muſter 400 men on a ſhort warning. Two or three gentlemen of fortune profeſs to have the command of theſe bands, and it is hoped they have; as the governor* (whoſe authority could not command ten men) *and every other officer of the crown lie at their mercy.*

Ten days, or more, (ſays the writer [q] of a very circumſtantial account of this dangerous confederacy) *before the laſt 5th of November, two gentlemen, called the richeſt merchants in this town, entertained the principal men of theſe parties, and reconciled them to one another, for other purpoſes I fear than burning a pope.* —*Thus*

[p] See letter to the lords of trade, dated November 30, 1765.

[q] See letter to the lords of trade, dated November 26, 1765.

—Thus was celebrated the union between theſe two bands, who (at a time when the militia have refuſed to obey the captain general, and it has been ſaid publicly, at a town-meeting, that they were not obliged to obey him) are ſaid to be well trained, and ready to obey orders upon proper occaſions.

Such was the ſtate of government in the American provinces;

If ſhape it might be called, which ſhape had none
Diſtinguiſhable in member, joint or limb;
Or ſubſtance might be called that ſhadow ſeemed;

An exigence in which the fulleſt and moſt particular inſtructions, and the warmeſt encouragements, were neceſſary to direct and aſſiſt the officers in the performance of their duty: an aſſiſtance and encouragement towards which they were ever turning their eyes and hopes, and ever in vain. For with regard to the execution of the particular act in queſtion, the miniſtry ſo little intended

intended it, that they did not even ſend the common directions for that purpoſe; or even copies of the act.

The complaints of this neglect are very numerous, and from different quarters. *I encloſe herewith* (ſays an officer [1]) *a certificate of my having taken the oath required by the ſtamp-act; which I framed from a copy of the act printed here; there being not one authentic act here; there never were but two; and thoſe ſent under private covers. It is ſtrange ——s ſhould not have thoſe acts ſent them by which they are liable to penalties.*

I beg leave to repreſent to your lordſhips (ſays another [2]) *that I was left to myſelf, without any inſtructions or directions from your right honourable board, to guide me through this wilderneſs. Your lordſhips*

[1] See letter to Mr. Pownall, dated October 26, 1765.

[2] See letter to lords of trade, dated November 3, 1765.

lordſhips will, I hope, forgive me for ſaying, that I even had not the common notice of there being ſuch an act, as it has never been ſent to me.

I am, my lords, (theſe are the words of a third [t]) *under great difficulties, with reſpect to the ſtamp-act; not having to this day received the act of parliament, or one ſcrape of a pen about it; nor is any ſtamp-paper or officer yet arrived here.* (This was eight days after the day fixed for the commencement of the act) *I fear, my lords, there has been an omiſſion ſomewhere relative to this matter, which embarraſſes me greatly.*

And, to omit ſeveral others of the ſame kind, even ſo late as the 13th of November a correſpondent [u] writes thus to the Board of Trade: *We are indeed particularly circumſtanced in this province*

[t] See letter to the lords of trade, dated November 9, 1765.

[u] See letter to the lords of trade, dated November 13, 1765.

with regard to the ſtamp-act; for even if there was no oppoſition given to it, it could not be put in force, as no commiſſion or inſtructions for the purpoſe are yet come to hand, if ſent from England; and without them the perſon nominated diſtributor of ſtamps could not be qualified to execute the office, were he ſo inclined.

But bare official inſtructions were not the only ones which the occaſions and the applications of the officers demanded; they had hoped, they ſtill hoped to receive the ſupport and authority, which England alone could give them; and which was thought as neceſſary to preſerve the peace of the provinces, as the dominion of Great-Britain. *Some of the principal ringleaders in the late riots* (ſays a correſpondent*) *walk the ſtreets with impunity; no officer dares attack them, no attorney-general proſecute them, no witneſs appear againſt them, and no judge ſit upon them; ſo it muſt remain*

* See letter to board of trade, dated December 17, 1765.

remain until other orders than this government can give ſhall be taken.

By this you may gueſs (writes a perſon * of unſhaken loyalty to England) *what a ſtate this government is in; and it is not likely to mend, 'till the power and authority of Great-Britain comes to our relief. For this I can quote a great politician of this town, who is now at New-York, attending the congreſs there. This gentleman* (it is Mr. Otis of whom he ſpeaks) *has, I believe, contributed more than any one man whatever to bring us into the ſtate of outlawry and confuſion we are now in, and now begins to be frightened at it: before he left this town, for New-York, he ſaid to a gentleman, if the government at home don't very ſoon ſend forces to keep the province, they will be cutting one anothers throats from one end to the other of it.*

* See letter to Mr. Pownall, dated October 19, 1765.

Nothing can be done here to enforce obedience to this act, (ſays a correſpondent [y] on this ſubject) *and nothing leſs than the wiſdom of parliament can provide a remedy for this act of diſobedience. The militia is all the force the reſpective governors on the continent depend on, upon all emergencies; and experience has ſhewn, how vain and fruitleſs it is to beat to arms, when neither officers or men will or dare appear.*

It is not ſurpriſing that the adminiſtration did not pay more regard to theſe and the like complaints, of which the letters to them are full, than they had done to the other requiſitions on the ſame ſubject. They, who would not aſſiſt their diſtreſt and meritorious officers even with inſtructions, could not be expected to ſend the more material ſupport of forces. It is true, that an order of the privy-council was made [z], directing

[y] See letter to lords of trade, dated October 5, 1765.

[z] See Order of council, dated St. James's, October 23, 1765.

directing, *That orders ſhould be given to the commanders of the land and ſea forces in America, for their concurrence and aſſiſtance in ſuppreſſing riots, when called upon by the governors for that purpoſe:* and it is equally true, that the lords of the treaſury ordered a circular letter to be written to the governors, directing them to aſſiſt in the collection of the ſtamp-duty, and to ſee that the revenue received no damage: an inſtruction exactly equal in efficacy with that exhortation, which the inquiſitors give with ſo much charity to the civil magiſtrate, to take care of the unhappy victim, whom they have themſelves devoted and doomed to deſtruction. It is impoſſible to read the ſ——y's letter of the 24th of October (ſee Appendix, No. 4.) and not be ſenſible, that the governors muſt have ſeen it was the intention of the miniſtry that force ſhould not be employed; and that they muſt expect therefore to anſwer in their own perſons for every fatal, though accidental conſequence, which might attend the employ-

employing it: under theſe circumſtances there was danger that the governors ſhould call upon the commanders for an aſſiſtance to their efforts, the ſucceſs of which gave them nothing to hope, while the miſcarriage left them every thing to fear.

The adminiſtration had, however, a ſtill ſtronger ſecurity that *the occurrences* in America ſhould not be interrupted by force. They thought that, on that continent a number of men, equal to the exigence, could not be aſſembled; and they determined that no more ſhould be ſent thither. Of the former of theſe points the ſ——y had been informed authentically, as he choſe to think, by the commander in chief of his Majeſty's forces in America; this appears by the anſwer which he returns to that officer; [a] *eſpecially conſidering what you ſay of the difficulty, or rather impoſſibility of drawing any conſiderable number*

[a] See Appendix, No. 5.

number of men together; and of the impracticability of attempting any thing by force, in the preſent diſpoſition of the people, without a reſpectable body of troops.

It will perhaps appear, by a peruſal of thoſe letters from the commander in chief, which are to be found in the collection of papers made on this occaſion, that of the *impoſſibility* of drawing a conſiderable number of men together he ſays nothing: he ſays the forces are greatly ſcattered and divided over that vaſt continent, that a junction might be prevented by the froſt, &c. but a miniſter who had wiſhed to act with vigour, might have given orders to act if the junction could be made; and if theſe orders had been given, they had been executed; for a ſubſequent letter[b] informed the ſ——y, that 300 men, which in that country is a reſpectable body of troops, could be brought to act

[b] See letter to Mr. C----y, dated December 21, 1765.

act whenever the governors ſhould require them.

But if the ſ——y really underſtood general Gage as ſtating an impoſſibility of drawing together a number of men ſufficient to attempt any thing by force, it ought to have been to him the ſtrongeſt motive for ſending thither ſuch an aſſiſtance as might be equal to the occaſion. So far were the miniſtry from attending to this, ſo far from ſending to the continent an augmentation, that they prevented that increaſe of force which the common military rotation would have carried thither. For the time was now coming when the regiments, which were on duty in that part of the world, were to be relieved by thoſe from Ireland. About 2500 men are carried to America for this purpoſe; and as the regiments which have paſſed the ſtated time of their ſervice there, are at the ſame time drawn down to the coaſt for embarkation, the junction of

theſe,

theſe, which might have been made in any place moſt proper for the ſervice, would have formed a body of near 5000 men, ready and able to have reduced the revolting provinces to obedience: this reſource was ſtopped under thoſe pretences, which in ſo extenſive a dominion are never wanting; under the pretence of fear of ſome tumults in Ireland, a reaſon which operated equally for two or three years together, theſe regiments were detained from America, where their preſence would have reſtored ſecurity to the officers, authority to the laws, and ſovereignty to Great-Britain.

Theſe were all the ſteps which the miniſtry had taken to execute the laws of their country, and to preſerve the allegiance of America, before the meeting of parliament. It is true, that Mr. C——y diſpatched to America two more letters on the 15th of December: but whoever reads them (they are in the Appendix, No. 5 and 6) will not

be ſurprized that no credit is given to the writer of them for any attempt to quell by their means the rebellion in America; though it appeared to have encreaſed both in extent and danger from the 24th of October to the time at which they were written; for they are addreſſed only to one province, they contain even leſs than his former diſpatches, and, in fact, refer to them as containing fully his Majeſty's ſentiments and commands.

All the intelligence has now been laid together, which was received after the 24th of October, 1765, and prior to the meeting of the parliament; and none has been produced, which was received after the Houſe of Commons had taken this matter into their conſideration. For by theſe means the reader is enabled to compare the intelligence with the conduct of the adminiſtration; and to determine in what degree they merit his approbation or cenſure, as miniſters entruſted with the

execu-

execution of the laws of their country: a point very different from that, which is afterwards to be conſidered, the great queſtion of the repeal of the ſtamp-act; and to be determined upon very different grounds. If the act was repealed upon juſt reaſons, it will not follow that the conduct of the miniſtry, before the repeal, was either wiſe or honeſt: it is even part of their crime that their conduct had been ſuch as to make the repeal appear neceſſary to thoſe who repealed it. For, from the intelligence which has been produced, it appears, that they had not only omitted to execute thoſe clauſes for the relief of the Americans which muſt have facilitated the reception of the ſtamp-act; but even to ſend thoſe official inſtructions without which it was impoſſible that act ſhould be executed at all: they had ſeen the laws of Great-Britain, not only the law in queſtion, but thoſe of cuſtoms and police violated and rejected; her officers inſulted; her authority contemned; and her government diſſolved;

while the independence of the colonies was aſſerted by popular publications, provincial aſſemblies, and the ſtill more dangerous ſtep of open reſiſtance: they had looked on, while to maintain this independence, an American ſenate was formed, which might receive the reverence due to the parliament of England; and while a regular force was embodied to ſupport their pretenſions; and inſtead of checking ſo dangerous and encreaſing a revolt in its firſt and feeble beginnings, they had continued and encreaſed theſe evils by their neglect and connivance; and that they might, by repealing the act, detract from the merits of the preceding miniſtry, effect an union with Mr. Pitt, and ſecure their own continuance in office, they had ſacrificed the reputation, empire, and intereſts of Great-Britain.

It is impoſſible not to ſee that this was their deſign, becauſe their conduct was ſuch as could be produced by no other motives; and was the reverſe of

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that, which was dictated by common prudence and a regard for their own reputation and ſafety; becauſe it was foretold to them, both by the American officers and by the board of trade, that thoſe dreadful effects which did follow in America, would be the conſequences of that conduct; and becauſe too, at the period we now ſpeak of, the meeting of the parliament, they actually did apply them to that purpoſe.

In fact, all the motives which had hitherto influenced them to this conduct were increaſed in ſtrength: the tenure by which they held their offices was grown ſtill more precarious; the hand which had planted could no longer protect them; and deſtitute as they were of reputation, experience or ability, and looking round with anxious diſmay in ſearch of ſome ſupport, they ſaw none but in the deſtruction of the meaſures of their predeceſſor, and in an union with the great commoner. That gentleman had retained ſome de-

gree of popularity, for he was not yet a peer; this would give them an appearance at leaſt of ſtrength; and he was ſufficiently converſant in buſineſs, to free them from the ridiculous diſtreſs of being obliged to aſk aſſiſtance from every one whom chance threw in their way. But an approximation to this perſon was not eaſy; ſome of them had forſaken him, and given him reaſon for that mixture of contempt and diſlike which he expreſſed pretty freely of them all: but he had declared his diſapprobation of the ſtamp-act; they approached him with that total ſubmiſſion to his ſentiments, which ſeldom fails of pleaſing, they entreated his protection, his intereſt required that *all the capital meaſures of the former miniſtry ſhould be thought wrong:* he gave them therefore his aſſiſtance on this queſtion, which was ſo intereſting to them as miniſters; and their ſubſequent behaviour has gained it in a ſtill greater degree; he has conſented to an union with them; and England, if ſhe has loſt America

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by this miniſterial intrigue, is ſo happy as to have purchaſed, by that ſmall ſacrifice, an adminiſtration compoſed of lord C——m and his adopted children.

Quod ſi non aliam venturo fata Neroni
Invenire viam ——————————
—————— *Cœlumque ſuo ſervire tonanti*
Non niſi ſævorum potuit poſt bella gigantum,
Jam nihil O ſuperi querimur, ſcelera ipſa nefaſque
Hâc mercede placent.

But, notwithſtanding their confidence in this powerful auxiliary, the miniſtry were well aware, that if the queſtion was to be debated on the principles of juſtice, policy, or public advantage, they could have no hopes of ſucceſs. Nothing therefore remained but to purſue thoſe meaſures which they had practiſed ſo long, and in which their American friends had given them ſuch effectual aſſiſtance; and to apply to the fears of thoſe, whoſe judgments they could not hope to convince.

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The American merchants had written [c], *that no dry goods may be ſent out to them, unleſs the ſtamp-act is repealed; and ſome go ſo far as to ſay, that they will not pay their debts but upon that condition.*

This ſcheme (ſays a very intelligent correſpondent) *is calculated ſolely to influence the people in England; and ſhould it be executed, the people in America will pay an extravagant price for old moth-eaten goods, and ſuch as the merchants could not otherwiſe ſell. The merchants may likewiſe have views of getting goods in that caſe from Holland and other foreign parts, while the mob can deter the cuſtom-houſe officers from attempting to do their duty.*

They have wrote many letters to their correſpondents in England, in which they throw

[c] See letter to Mr. C——y, dated November 8, 1765.

[d] See paper enclosed in a letter to Mr. C——y, dated December 13, 1765.

[e] See letter to Mr. C——y, dated December 21, 1765.

throw the blame upon the unruly populace; magnifying the force and determined reſolution of the people to oppoſe the execution of the law by every means; with a view to terrify and frighten the people of England into a repeal of the act. And the merchants having countermanded the goods they had wrote for, unleſs it was repealed, they make no doubt that many trading towns and principal merchants in London will aſſiſt them to accompliſh their ends.

Their expectations were well grounded; many trading towns and principal merchants in London did aſſiſt them to accompliſh their ends; but the miniſtry took the lead, and employed for this purpoſe every engine in their power: every body remembers the induſtry with which all their writers and orators of every ſhape and ſize endeavoured to depreciate the rights of Great-Britain; and to exalt the privileges of the free-born, virtuous and independent Americans; their union and their ſtrength were repreſented as irreſiſtible, and their

employing theſe in reſiſtance to the Engliſh parliament praiſed as heroic.

When, it was hoped, the minds of the people were prepared by theſe declamations, petitions were ſollicited by their agents from ſuch of the manufacturing towns as they could hope to influence; a regular ſociety of American merchants in London was formed for this among other purpoſes; this ſociety, ſupported and aſſiſted by government, became ſo ſucceſsful, as to claim at length the ſuperiority; they obtained it; and the counſels of the kingdom were guided, not by the enlarged maxims of general policy, not by conſiderations even of permanent and extenſive commercial intereſts, but by the temporary and partial views of a junto of intereſted traders held at a tavern. Now that the ferment raiſed on this occaſion has ſubſided, one can ſcarcely believe this fact, though ſo recent and authentic; or that ſuch means and inſtruments ſhould produce, as they did produce, the

the repeal of the ſtamp-act. For it was in vain that, to the popular panic, every argument was oppoſed, which the principles of juſtice, of the conſtitution, of policy, even of intereſt could furniſh. It was in vain that thoſe, who were ſo unpopular as to defend the cauſe of Great-Britain, urged that the ſtamp-act had paſſed upon the moſt general and acknowledged grounds of Whig policy, that ſupport on the part of the ſubject, is due in return for protection on the part of government; that taxation ſhould be extended over all the parts of a ſtate, in proportion to the relative ability found in each. If, ſaid they, we examine the arguments by which the Americans would prove their right of exemption, we ſhall ſee that the admiſſion of them diſſolves at once the conſtitution of our country: if the legiſlature has no power but over thoſe who vote for the election of the members which form one part of it, not only all our poſſeſſions in Aſia, Africa and America are exempted from any obedience

to the laws of trade, revenue and police, paſſed in England; but even nineteen-twentieths of the inhabitants of Great-Britain are releaſed from their ſubjection; and entituled to return to that ſavage freedom on which every reſtrictive law is an uſurpation. But it is not from its abſurd and pernicious conſequences alone that we prove the falſehood of this maxim; it proceeds from an ignorance of the nature and powers of our conſtitution. The Commons of Great-Britain, aſſembled in parliament, are not only the repreſentatives of the counties and boroughs who depute them, but of all the commons of the realm: they are entruſted with the intereſts, appointed to guard the liberties, relieve the burthens, and redreſs the grievances of the whole kingdom; there is no part of it but is entituled to their protection, there is none therefore which is exempted from their authority; the contrary doctrine diminiſhes their utility, degrades their character, and reduces them from the honourable and

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extenſive office of being the guardians and counſellors of a whole kingdom, to that of burgomaſters for a petty, ſometimes an uninhabited borough. It is one of the firſt duties of thoſe to whom this important truſt is committed to execute it, and eſpecially that unpleaſing but neceſſary part of it the power of taxation, in the moſt impartial manner; it is this alone which can induce the ſubject to bear with patience the burthen of impoſts: will you not then betray the truſt of your conſtituents, if you ſuffer any part of the people to force an exemption from thoſe taxes which the public exigencies require to be impoſed on the whole; and will you not deſtroy that confidence on which all government is founded?

The diſtinctions which have been made on this ſubject are not well grounded; *The parliament has the right of impoſing external, not internal duties: and it will be proper to lay on the Americans every burthen which the hand of*

power

power can impoſe, if they ſhould attempt to become manufacturers. Theſe ſentiments have been delivered and received as maxims; but the difference between the right of impoſing internal and external duties is merely imaginary, grounded on no principle of juſtice or policy, contradictory to the claims of the Americans, whoſe *reſolutions*[1] *aſſert their exemption from all duties not impoſed by themſelves*; and is treated as an idle diſtinction by Mr. Otis, the choſen champion of American privileges. The other maxim, that of forbidding manufactures, ſeems a much greater and leſs juſtifiable infringement of the rights claimed by the Americans, than the impoſing on them a tax for their own defence, is with difficulty to be reſolved into any principle but that of power; and muſt be very uncertain in its extent and operation; whereas that of the ſtamp-act is founded in juſtice, and of certain and acknowledged extent and application.

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[1] See Appendix, No. 7 and 14.

The ability of America, to raiſe this proportion of the ſum neceſſary for their own defence, admits of no doubt; the preſſure of debt upon them, of which, as of a popular topic, they have made ſome uſe, was at the end of the war not quite 2,600,000 *l*: it is already reduced to about 767,000 *l*, and the greater part of this will be paid off in two or three years by funds provided for that purpoſe. The whole ſum expected to be raiſed by the ſtamp-duty was 100,000 *l* a year; the repartition of this upon 1,500,000 people, at which the loweſt computation eſtimates the preſent inhabitants of that country, would not draw from each perſon more than half the value of a day's labour in America. England has even furniſhed them with reſources to raiſe the revenue ſhe has required; the bounties given to them on two or three articles alone would enable them to ſupport the new impoſitions; and the increaſe of the eſtabliſhments there furniſhes them with another fund, which alone would

more

more than balance the account; it is ſufficient to mention this, for it is not on this ground that the Americans wiſh to ſtand; they do not plead poverty, but privilege; and have reſted their cauſe, not upon their inability to ſupport, but their right of exemption from an Engliſh tax.

The manner in which the reſiſtance has been exerted, proves ſtill more ſtrongly the neceſſity of oppoſing it with firmneſs. Riots in the capitals of the provinces, perſonal attacks on our officers, inſults on our government, theſe are the actions by which they have accompanied and ſupported thoſe reſolutions of their aſſemblies which diſclaimed our authority. The miniſtry, partial as they are to the Americans, have themſelves acknowledged that in theſe circumſtances it would be diſgraceful, and it is impoſſible to repeal the act. Read, in the diſpatches of Mr. C——y, who will not be ſuſpected of aſſerting the rights of Great-Britain

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in too high a tone, this point determined. He directs the officers to *repreſent to them the dreadful conſequences that muſt inevitably attend the forcible and violent reſiſtance to acts of the Britiſh parliament.*

He aſſures them that *his Majeſty cannot permit his own dignity and the authority of the Britiſh legiſlature to be trampled on by force and violence.*

Neither will his Majeſty undoubtedly ſubmit, or his ſervants adviſe, under any circumſtances, that the reſpect which is due to parliament, and which is neceſſary for the general good of the whole Britiſh empire, ſhould any where be made a ſacrifice to local and dangerous prejudices.

From the time of writing theſe letters, the diſreſpect to parliament, the violent reſiſtance to acts of the Britiſh legiſlature, and thoſe outrages, by which they were ſupported, have been continually increaſing; the diſgrace there-

fore and the danger are proportionally encreaſed, and thoſe ſentiments which then animated him are ſtrengthened too; it is impoſſible therefore that the miniſtry can, without acting in direct contradiction to themſelves as well as to their duty, propoſe that the reſpect due to parliament ſhould be made a ſacrifice to local and dangerous prejudices. To make this ſacrifice will deter both future miniſters from forming any ſchemes for the public utility, which may expoſe them to be ſacrificed to combinations of private intereſt, the clamour of multitudes, or the malice of faction; and future officers from executing acts of parliament, for and in that country; and will contribute to the ſucceſs of the deſign which the moſt deſperate of the coloniſts have formed *to make Great-Britain contemptible, by extorting a repeal of an act of parliament during an actual reſiſtance to its execution*: a repeal which will either abrogate in effect all other laws and ſtatutes relating to our colonies; or at leaſt greatly encreaſe

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the difficulty of enforcing them, as well as poſtpone it to a ſeaſon, when the ſtrength of the colonies as well as their claims of independence being augmented, the ſituations and diſpoſitions too of the other powers of Europe may be ſuch as to render the conteſt far more dangerous.

Theſe, and the other arguments, which were drawn from all the great and intereſting topics with which the ſubject abounds, were ſcarcely heard, for it was reaſon only which ſpoke: the tumult of popular fear expreſſed itſelf in louder terms, and was more attended to. The Americans had withdrawn their commiſſions; they threatened to withhold the payment of their debts; the firſt of theſe was an illegal and hoſtile combination to diſtreſs our manufacturers, a ſtep rather allowable in an equal when in a ſtate of war, than in ſubjects who pretend to be in peace: the laſt was ſuch a breach of private faith as is not practiſed even in time of

war between jealous commercial rivals, and both of them means which would always be in the power of the Americans to uſe, and would hereafter be recurred to with an aſſurance of ſucceſs: and yet theſe reaſons, which would have made it diſgraceful and unwiſe to have given way in an indifferent matter, operated ſo ſtrongly on the multitude that they perſwaded them we ought to recede in the juſteſt cauſe, and from the ſtrongeſt ground. Petitions were obtained, the manufacturers excited, the merchants clamorous, the miniſtry, intereſted and factious, directed to their own purpoſes the reſiſtance and the clamours which they had raiſed; and the legiſlature, with a condeſcenſion to popular alarm, and a lenity to the colonies which demands the ampleſt returns of gratitude and obedience, paſſed a bill for the repeal of the ſtamp-act.

The conduct of the late adminiſtration has now been ſtated from authentic vouchers,

vouchers; it is time to examine the merits of it with regard to the crown, to America, and to Great-Britain. In ſpeaking of that adminiſtration, I would be underſtood to ſpeak generally; I do not pretend to be informed by what part of it the counſels were planned; it is therefore left to them to divide in the proper proportions that praiſe to which the public ſhall think them entituled. If the ſ——y for the ſ——n department was only the hand, I deſire to charge him only with being the hand; though to the ſtate he is accountable for the plan of thoſe counſels by which his department is conducted: a weight which he has with great prudence and caution contrived, if it be poſſible, to ſhift on other ſhoulders, by a ſtratagem exactly equal with that of a much fatter commander, who prudently withdrew when he had *led his raggamuffins where they might be peppered.*

The firſt whom their conduct regards is a name which ſhould never be mixed amid

amid the tumult of party conteſts; and which I mention with reluctance though it is to recall to it that reverence which is its due, and which the behaviour of the late adminiſtration has tended ſo much to diminiſh. It is the great advantage which limited and mixed monarchies have over thoſe of a more deſpotic caſt, that in them there are ſo many intermediate ſubordinate powers between the king and his people, that the love and reverence, which for the public good it is expedient he ſhould poſſeſs, may always be retained to him. To this end it is neceſſary that the private ſentiments of the monarch ſhould not be quoted at all; and that thoſe of his character ſhould be expreſſed with a moderation and dignity equally removed from the vehemence of any party, that he may continue to all the object of veneration. The late adminiſtration offended againſt both theſe parts of their duty as miniſters.

It would perhaps be unjuſt to reproach them with the effeminate, uncertain, and even ungrammatical expreſſions in which they cloath the ſentiments which they attribute to their ſovereign; ſo different from that plain and natural ſtyle which ought to convey the commands of an Engliſh king; becauſe it is probable that they uſed on this occaſion the beſt expreſſions in their power.

But they are to be told, that to deſcribe their maſter as *ſurpriſed*, and as *highly provoked* (ſee Appendix, No. 3 and 5) is not a proof of their knowledge of the duties of adminiſtration. The preſident Monteſquieu, when he condemns this mixing of paſſion with the royal authority, which he ſays (Liv. xii. chap. 25) *eſt un grand reſort, qui doit ſe mouvoir aiſément, & ſans bruit*, could not more exactly have deſcribed their diſpatches, if he had read them. *Un miniſtre malhabile—ne ſcait vous dire ou vous ecrire ſi ce n'eſt que le prince eſt*

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fachè, qu'il eſt ſurpris, qu'il mettra ordre. The reaſon of the impropriety of this kind of ſtyle he had given before, *Dans nos monarchies toute la felicitè conſiſte dans l'opinion que le peuple a de la douceur du gouvernement.* The king is the father of his people, and he views their errors and their crimes with that compaſſion with which parents regard the miſconduct of their children; it is with reluctance that he lifts his hand to puniſh, and it is not the being *provoked*, it is the neceſſity of preventing greater evils, it is juſtice, it is his paternal care for his obedient ſubjects, which draws from him any mark of correction and chaſtiſement. It is by this character that he preſerves the reverence of his people, and therefore to attribute to him thoſe little paſſions, which may perhaps at ſome times agitate the minds of his miniſters, is to diminiſh his dignity, the confidence which his ſubjects place in him, and the happineſs of his people. This is ſo ſelf-evident that I doubt not the ſ——y himſelf will be the firſt to acknow-

acknowledge it; and to confeſs that he could not, without betraying equally the truth and his duty, repreſent his maſter as *highly provoked*.

But this was not the only inſtance in which they miſrepreſented the ſentiments of their ſovereign: when they were to influence by authority thoſe whom popular tumult could not terrify to conſent to the repeal of the ſtamp-act, they had recourſe to the name of the ——; aſſuring thoſe who would hear them, that the —— wiſhed it might be repealed. The part of honeſt and affectionate ſervants was the very reverſe of this; ſuppoſing the meaſure itſelf to have been juſt, all mention of that name ſhould have been ſuppreſſed, till, the ſucceſs of the repeal being aſcertained, the wiſhes which he expreſſed for the relief might be held out as the object of the gratitude of his people; but to quote this authority, and to riſque thereby this reputation for the promotion of their own party-purpoſes,

was a conduct neither ſuggeſted by duty to their ſovereign, nor by regard for the conſtitution: this reſerve would have been neceſſary, had the opinion of the —— been that which they attributed to him; but it is certain that they falſified as well as proſtituted the ſentiments of the ——: it is certain, although when contradicted on this ſubject by thoſe who could do it with authority, they endeavoured to avoid the diſgrace of this contradiction by an expedient borrowed from their only ſchool of buſineſs, thoſe clubs of gaming in which gentlemen do not truſt the unwritten words of gentlemen, and demanded in writing the words of their ſovereign.

His words were the genuine dictates of his wiſdom and love for his people; careful of the ſafety of all his ſubjects, he wiſhed to unite them all by the bands of mutual ſupport, and by a community of duties as well as of rights. They can claim no merit towards the crown, who by their artifices

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prevented the execution of that royal wiſh; but muſt with terror look forward to that hour, for it will come, when Auguſtus, grieved with the remembrance of the only loſs which can obſcure the glories of his ſucceſsful reign, ſhall demand from them a reſtitution, not of a province, but of an empire more extenſive than that of Rome; not of three legions, but of whole nations of ſubjects.

They appear however to deſerve at leaſt the thanks of the Americans, whoſe preſent intereſts they have promoted, and of whoſe privileges they are the avowed patrons; and yet there are many reaſons which may induce thoſe who are beſt acquainted with the true intereſts of that country, to think that they have not been ſerved by the late project of emancipation. If it is true, as it has hitherto been pretty generally thought, that the good of each part is inſeparable from that of the whole, their intereſts are involved in

thoſe of the whole empire, and they muſt themſelves be hurt by their partial exemptions.

If it is the intereſt of colonies, formed of ſuch various and diſcordant materials, to be attempered, guided, encouraged, or reſtrained by their common parent; the being ſet looſe from that tie, and encouraged to reject the authority of that parent, will have material and immediate ill conſequences. It is true, that the Americans, under the ſhade and protection of Great-Britain, have made rapid advances in population, commerce and wealth; but are they ſufficiently ſtrong to flouriſh without her care; or to ſupport, I will not ſay her reſentment, but her neglect? The provinces on the American continent have been ſo divided in principles, ſentiments and manners; ſo jealous of the progreſs of each other in ſtrength, commerce and riches, that they have ever been unable to form an union equal to their own defence. Their frontiers on

both

both ſides are extenſive, and therefore eaſily attacked; they have no fortreſſes, no ſhips of force, no marine of their own; but muſt depend upon the Engliſh navy to keep at a diſtance from them thoſe dangers which they are unable to repell: the Indian nations, reduced as they are, are ſtill formidable to them; it was by the Engliſh arms that their inroads ſince the peace have been checked and prevented; thoſe arms of the expence of which the coloniſts have refuſed to pay any proportion: and yet they may again want the protection of that government which they have rejected; and they may call too late for the efforts of that warmth of affection, which ſuch a partial exemption tends to alienate from them.

It tends too to alienate from them this affection, from which they have received ſuch advantages, that they have been repreſented to have ſome peculiar claims to a freedom which they purchaſed by peculiar fortitude; a repreſentation

ſentation which is moſt untrue. We have been told, that having *fled to that country from our oppreſſion*, their migration to America, as it argued in them a love, ſo it gave them a title to freedom ſuperior to that of their fellow ſubjects who remained in England. But to eſteem the Americans our brethren, and to wiſh that they may deſerve and poſſeſs all the ſweets of civil and religious liberty, which Great-Britain enjoys, does not make us forget that they received theſe bleſſings from England, and depend on her for the continuance of them. The truth of the latter of theſe propoſitions is obvious; the proof of the former would be eaſy but invidious; for the hiſtory of theſe colonies is not involved in that cloud of fable which hangs over and aggrandizes the origin of more antient nations: it would not be difficult to give a detail of the eſtabliſhment of each; and it would appear from that detail that there are few of them who could claim any hereditary diſcriminating privileges. Of the patriot

coloniſts

coloniſts of New-York it is ſo far from being true that *they fled from our oppreſſion, or grew by our neglect*, that they were Dutch ſubjects acquired by our arms, and received, by a formal ceſſion from Holland in 1667, into our protection. Of the Virginians, whoſe *reſolutions* were the alarum-bell to rebellion, and who have been eſteemed the great patrons of American privileges, it may be ſaid with truth, that all the inhabitants of that colony did not retire thither from motives of religion and virtue; and that ſome of them at leaſt were removed to that place, not by the oppreſſion but the mercy of the government of England. Nor is this peculiar to the colony of Virginia, for I find in one of the American newſpapers, dated Boſton, September 2, 1765, that one of thoſe patriots who had been the moſt active in forcing from Mr. Johnſon a reſignation of his ſtamp-office was a *foreigner* (by which name I ſuppoſe they do not yet deſcribe an Engliſhman) *who had been tranſported from England*

to

to America. Such a detail would be but a mild return for all thoſe marks of neglect, contempt, and inſult on Great-Britain, with which the writings of that country have abounded; it will however be more temperate only to ſay, that admitting that to be true of all the colonies, which is perhaps true only of the New-England governments, that the ſettlers of them retired thither to enjoy that liberty of which a monarch of arbitrary principles was endeavouring to deprive them at home; yet leſs praiſe is due to thoſe who fled from the danger, than to thoſe who had the courage to abide it. If their flight argued in them a love of freedom, their countrymen who remained in England ſhewed by their actions an equal love of it, ſupported with more reſolution and ſucceſs; they took arms to oppoſe the tyranny from which the others fled, averted it by the civil war, and aboliſhed it by the revolution. In theſe two hazardous enterprizes, undertaken for the cauſe of liberty, the colonies took

took no part; they followed in both the fortunes of the mother-country; the patriots of which diffuſed the advantages of their ſucceſs to the infant colonies after their ſettlement; and the coloniſts therefore have neither ſhewn any peculiar attachment, nor can be entitled to any of thoſe ſuperior claims to freedom, which have been ſo invidiouſly and falſely made in their behalf; but owe every branch of the liberties of Engliſhmen to the community of rights, which they are entitled to as long as they remain in that ſubjection to England, to which they are bound by the ties of gratitude, juſtice, and intereſt. In fact, the rights to which they have a juſt claim, are rendered precarious by placing them on the ground, on which ſome of their imprudent advocates in England have concurred with ſome of their aſſemblies to place them.

The franchiſes of Great-Britain are protected and preſerved for all the ſubjects of the realm by the ſame power

which defined and obtained them; for it was not by the flight of a few Plymouth adventurers, but by the courage and conſtancy of the people of England that the freedom of our conſtitution was defended: *the bill of rights*, *the act of ſettlement*, on which all our liberties depend, are not the reſolutions of an aſſembly of coloniſts, but the acts of an Engliſh parliament. As our liberties were eſtabliſhed, ſo they are ſtill protected by the legiſlature of Great-Britain; it is as claimants under this title, and ſubjects to this power, that the Americans have ever enjoyed and ſtill enjoy them; a claim and title which cannot exiſt in thoſe who reject its authority: the cauſe therefore of the coloniſts and their rights, are betrayed by thoſe who withdraw their dependence from the ſupreme legiſlature, and teach them to reſt upon the precarious and feeble ſupport of a provincial aſſembly.

The Americans indeed owe it to the connivance and encouragement of the laſt

laſt miniſtry, that their people have been blooded with the prey of ſedition; that they have been taught to obtain ſupport by other means than induſtry, and privileges by other means than obedience; but whether the exciting and rewarding this temper will conduce to the happineſs of that continent, either in the ſeveral provinces, or conſidered as a common empire, is to be referred to the judgment of the wiſe and loyal of the coloniſts: a judgment which they have already expreſſed; for all the Americans are not to be involved in thoſe accuſations of diſobedience, which have been proved on ſome. There have ever been among them men of wiſdom and moderation, well acquainted with and attached to the conſtitution of their country; and though ſome of theſe, driven as exiles to Great-Britain, are neglected in that kingdom for the cauſe of which they ſuffer; there are yet many others, who wait only 'till the firſt guſt of popular tempeſt is paſt, to

avow their principles and return to their duty.

In truth the Americans in general are leſs guilty than they may at firſt ſight be thought; the deſire of preſent eaſe is the common feeling of man, and the bulk of the people are ſo entirely guided by their feelings, that there is ſcarcely an inſtance of their ſubmitting to impoſts, however eſſential to their intereſts or even to their ſafety, from any motives but thoſe of neceſſity. The Americans exerted only on a ſimilar occaſion the ſame ſpirit, which animated the cyder counties to tumult and almoſt to rebellion: theſe counties are not invidiouſly mentioned; for there is not, it is probable, any part of our dominions, ſcarcely any county in England, which, if government in it had been ſo neglected and relaxed, riots ſo encouraged, and rebellion ſo unchecked, would not have expreſſed an equal averſion to the obnoxious burthen of taxes. In viewing commotions of this kind it

is natural to pity, while we condemn the unthinking and miſguided people: but on thoſe who could behold the firſt riſing of the American ſtorm without even attempting to ſuppreſs it, could give it ſtrength by ſuch a conduct as implied approbation; and, that they might blaſt their predeceſſors in office, contribute to raiſe a tempeſt which was to lay the colonies waſte, and tear America from England; on theſe our indignation muſt be poured unmixed; and they may well expect that the dangers and the miſchiefs of the diſunion will bring on them the reſentment and reproaches of thoſe of the coloniſts who underſtand their duty and their intereſts.

If however the late adminiſtration have the juſteſt title to thoſe honours and ſtatues, which ſome of the Americans have loyally admitted their ſovereign to ſhare with the E. of C——m; from England they have no claim to approbation: in that oppoſition of intereſts which they ſo unwiſely raiſed

between the members and the head, every merit towards America, is a crime to their country.

When it became a queſtion, whether the colonies ſhould be called upon for a juſt and moderate contribution towards their own defence; or that this ſhould be thrown, in addition to their other burthens, on the inhabitants of Great-Britain; to ſurrender our juſt rights, and to endeavour to force a deciſion of this queſtion in favour of America, by all the arts of intrigue and faction, cannot merit the thanks of the people whoſe intereſts they ſurrendered. The other meaſures propoſed by that miniſtry do not immediately belong to this ſubject, and I obſerve in this place, that they conſiſted of exemptions from commercial reſtraints, relaxations of the act of navigation, remiſſions of duties, all favourable to the colonies, and diſadvantageous to Great-Britain, only as a proof that the having introduced a rivality between them, and preferred

America,

America, cannot entitle them to popularity in England.

It would indeed have been unreaſonable to have expected from the late miniſtry any meaſure which required extenſive views, or a concerted plan; it would have been abſurd to have hoped that they would hazard a breath of that popular air, which they were gathering with ſo much induſtry to fill their ſail, for the ſake of a diſtant and public benefit: but nothing of this was neceſſary; they had ſucceeded a miniſter ſuch as they could wiſh, one who had been weak enough to ſubject himſelf to much real oppoſition, and more abuſe, for the ſake of *the ſtate*; who ſeems to have retained the uſeleſs and exploded idea of a *common weal, a public intereſt*. To this man even experience had not given prudence; and, though ſenſible that from purſuing a plan of Engliſh policy abroad, and of œconomy and improvement at home, he had reaped only the ſatisfaction of having diſcharged his

his duty, while Mr. Pitt had acquired popularity by adopting the moſt expenſive German meaſures, and impoſing the moſt ſevere taxes to ſupport them; yet his obſtinacy had made him hardily oppoſe himſelf to the whole torrent which private intereſt and faction would not fail to pour on his head. He had done this merely that he might form and cement a laſting plan of policy, might unite the colonies by the firmeſt bands of dependence on Great-Britain, attemper their ſeveral intereſts, and lay the foundation of indiſſoluble union, and of encreaſing ſtrength and riches for diſtant ages.

It was natural that the miniſters who ſucceeded him ſhould deſpiſe this antiquated policy, ſo different from their own, and deride thoſe ſentiments which could give birth to it; but they would have done well to have profitted by it; and after having thrown all the abuſe they were able on the miniſter who planned it, at leaſt to have retained

thoſe advantages which he had given to Great-Britain. Unhappily they embraced the oppoſite ſyſtem, and to blaſt, if it were poſſible, the reputation of one miniſter, whom they envied and feared; to ſecure an union with another, by whom they were deſpiſed; and to attain that degree of popularity, which the intereſted followers of ſome intereſted traders could beſtow, they propoſed the repeal of that act, the execution of which they had endeavoured to render impoſſible.

The ſucceſs of one of theſe deſigns the public has already ſeen in the permiſſion, which thoſe of the late miniſtry, who had moſt actively promoted that meaſure, have received from lord C———m to continue in office: that of the other two purpoſes ſeems leſs within their reach; for, though while the paſſions of the public were heated by thoſe whoſe intereſt it was to prevent their judging with impartiality, Mr. Grenville was the object of much abuſe,

it is not poſſible that the infatuation ſhould laſt; the clamours of mob, and the miſrepreſentations of faction will ſubſide; the taxes which have been removed from American and muſt be laid on Engliſh property will be felt; and the partiality of the impoſition will add weight to the load; a time is coming when it ſhall be remembered to his honour (and it ſhall ſcarcely be believed that in Great-Britain it could be a reproach to him) that he was the firſt who propoſed to ſecure by juſt and moderate ties the allegiance of thoſe colonies, which with ſo much expence we had planted, protected, and enlarged; who, when every branch of our trade, every neceſſary of life was taxed in England even to its utmoſt bearing, required from America ſome return for that ſupport, which we had ſo liberally given, ſome tribute for that wealth, which we had poured into her boſom, ſome aid towards maintaining her in that ſecurity, which we had ſo dearly purchaſed; and who, when the artifices

of

of faction had divided the intereſts of the ſeveral parts of our empire, and when the adminiſtration ſacrificed their truſt to their hopes of popularity and power, and became Americans; remained an Engliſhman.

The temporary and bought praiſe of that adminiſtration muſt ſubſide alſo, and they will receive from their countrymen that cenſure which they have ſo well merited. But I leave them to the good or evil fame which awaits them, for the object of this pamphlet was not the applauſe or cenſure of any ſet of men, or the mere contention of parties: it was undertaken with a better and honeſter view, with the hope, that if a plain ſtate of the facts relating to the ſtamp-act, ſupported by authentic vouchers, was laid before the public, it might prove to thoſe who have been guided by names inſtead of reaſons, have been miſled by falſe aſſertions, or have acted from fear rather than judgment, the neceſſity of untreading the

falſe ſteps which have been taken, of promoting better meaſures, and ſecuring, while yet it is poſſible to ſecure, the only remaining hope of Britain. It is better to aſſert than to prove that it is from the union and dependence of the colonies that we are to ſeek for our ſafety; it is time therefore to return to meaſures undertaken upon public grounds and permanent principles; what thoſe are, the peruſal of this tract may in ſome degree have ſuggeſted; and if any ſenator ſhould condeſcend to turn it over, he may perhaps, by the evidence it contains, be prepared to hear himſelf addreſſed by his conſtituents in ſome ſuch manner as this.

When I entruſted to you the care of my intereſts, and the power of granting ſome part of my property for the ſervices of the ſtate, I entruſted it in confidence that this power would never be uſed but on the calls of neceſſity, and would ever be exerciſed with juſtice. The character of a legiſlator demands the ſtricteſt attention to that general

general good which ariſes from ſubjecting the ſeveral intereſts of the landed and commercial parts of the ſtate to one common end; and a mind too ſteady to be diverted from the purſuit of this end either by hopes or fears, by authority or by tumult. If it was wiſe or prudent to relax for a time the ſprings of government; to give opportunity to an inflamed and miſguided people to return to their allegiance; that time has been given: The ſtamp act was repealed on the motives of condeſcention to mercantile intereſts and fears, and to popular violences; that hour of tumult is paſſed: If lenity to the coloniſts was then neceſſary, juſtice to England now claims its turn: Sacrifice no longer *the unalienable rights of ſupreme juriſdiction to the new and illegal claims of provincial aſſemblies*; but if the Americans enjoy the privileges, let them participate in ſome degree of the burthens of their fellow ſubjects. If their ability could have been doubted before, the adminiſtration in 1764, and 1765 encreaſed it by

by encouraging their cultivation and commerce; they have received more immediate advantages, at the expence of England, from the miniſtry which followed: If there could be any doubt whether theſe favoured children would be reclaimed to obedience by conceſſions, that doubt is removed. They would not expreſs that encroaching gratitude, which is contained in their addreſſes, if the object were only the repeal of a particular and light duty; it is plain that they underſtand the conduct of England to be an acknowlegement of the right which they claim, of taxing themſelves.

Their temper is ſtill more plainly proved by the indignation they expreſs at the claim of England to ſovereignty, and at the bare mention of *requiring* them to repair the damages, for the inſults are irreparable, which the officers of England have ſuffered at their hands.

The laſt and ſtrongeſt proof ariſes from their conduct; for it is certain that in the

the town of Boſton, the execution of the cuſtom-houſe laws is now actually ſuſpended, and ſeizures of ſmuggled goods prevented by open force in deſpite of the government of Great Britain. Now then at length call on them for an aid in ſome proportion to their ability; and oblige them to confeſs, not in words, but by obedience, the authority of England. Relieve me from that appearance of partiality which doubles the weight of every burthen which you impoſe; and while every neceſſary of life is taxed to its utmoſt bearing, do not deprive me of the melancholy conſolation which I draw from believing that the taxations are equally laid on all my fellow ſubjects.

I ſubmit to taxes as they are the purchaſe of peace and ſecurity; do not while you receive the price, withold the reward; nor encourage every ſpecies of outrage tending to the diſſolution of ſociety by granting thoſe exemptions to rebellion, which you refuſe to obedience. If tumult can extort the repeal of a duty

to

to be levied chiefly on the rich, while acquieſcence is repaid by an additional and perpetual land tax on the poor, will you not excite the inſurrections which you reward; and diſcourage that ſubmiſſion which is thus made to bear more than its own burthen? at leaſt do not treat with more tenderneſs your emancipated and rebellious coloniſts, than thoſe of your countrymen, who have perhaps been encouraged in tumult by American ſucceſs. If the poor Engliſh peaſant, driven into a temporary inſurrection by the whip of that ſevereſt maſter Want, is taught to expect *condign puniſhment and ſpeedy juſtice*, and calls forth the vigour and vigilance of government, let the wanton Americans forming a concerted plan of obſtinate rebellion on occaſion of a tax uncollected, and which would almoſt have been unfelt, awaken other ſentiments than thoſe of the *utmoſt lenity*.

To impoſe with ſucceſs on the Americans that proportion of the public burthen

burthen which they ought to bear, ſeize the opportunity, while a general peace leaves you at liberty to employ in this ſervice, whatever force may be neceſſary for it; and while the infirm and diſjointed ſtate of the provinces renders a ſmall force equal to the work; an opportunity which may ſoon paſs, and the neglect of which muſt be fatal to the very ſafety of Great Britain. Other misfortunes may be repaired or borne, the loſs of battles or of cities may be redeemed or compenſated in more proſperous hours; but if you ſuffer this important hour to paſs unimproved, it is loſt for ever: The Americans will add to confidence in their claims, ſtrength to ſupport them; they will turn our favors to them into reaſons of reſiſtance, and refuſe to receive any longer our manufactures, which are become expenſive by being loaded with taxes impoſed for their protection; they will ceaſe to be the Colonies of England, and we ſhall have more than doubled the burthen of our national debt in a war undertaken for their defence, and the

ſucceſſes of which were all directed to their advantage, to enable them to pour the benefits of their trade into the boſom of our commercial rivals. The declaratory law aſſerting the power of Great Britain to tax the Americans, will hold forth *only a deluſive and nugatory affirmance of the right of the legiſlature of this kingdom*, if not followed by ſome bill which ſhall exert it. The ſurrender of ſo unalienable a juriſdiction, when this ſurrender might, and certainly in America would be attributed to ſuch motives, demands a ſubſequent vigour and firmneſs; if now, when time for recollection has been given, you neglect to purſue thoſe meaſures, which juſtice and neceſſity demand from you; and to which duty, gratitude and intereſt ought to ſecure obedience from them, the whole new world ceaſes for ever to be ſubject to your authority.

Miniſters for the purpoſes of intereſt and party may wiſh to continue this partial exemption; but you can act from no

no motives but thoſe of juſtice; your intereſt is united to your duty; and you cannot without departing from both give any ſupport to a miniſter capable of ſuch a conduct. If the public ſee with regret the power of government in the hands of lord C—m, it is from the dread not ſo much even of his continental, as of his colonial ſyſtem: It was from the commerce of the American part of our dominions that thoſe reſources were to be drawn, which his extravagance have rendered ſo neceſſary. But to continue every ſpecies of profuſion, and, by throwing wantonly his penſions into every open hand, to load the preſent revenue; while by emancipating the colonies he prevents even future improvements; is at once to divide the river of our wealth 'till it is loſt in a thouſand private channels, and to cut off its communication from that ſpring, by which it ſhould he ſupplied. We had leſs to fear from the inability of the laſt, than from the deſperate raſhneſs of the preſent ſtateſman; if the former connived at the coloniſts withdrawing themſelves from our dominion,

this profeſſes on principle to throw them from us. If we have almoſt loſt America by the timidity and neglect of thoſe who did not venture to deny our right to the dominion of that country, can we hope to recover it under his guidance, who is almoſt the only man in England who ventures to aſſert it owes us no ſubjection. If then in this hour of danger, when vigour and firmneſs are neceſſary to reclaim the colonies to our obedience, you ſee a junto formed of the miniſter who has taught them to deſpiſe our authority, joined to the peer who declares they are exempted from our dominion, you will not be ſatisfied with an unactive pity for your country; but will exert your beſt abilities to vindicate her rights, and provide for her ſecurity; and to oppoſe by every conſtitutional method, miniſters who are convicted of having ſacrificed to their jealouſy, reſentment, ambition, and intereſt, the ſafety of our officers, the dignity of our ſtate, the ſtability of our commerce, and the rights of our Legiſlature.

APPENDIX

APPENDIX.

ADVERTISEMENT.

THE Reader will find, in this APPENDIX, ſome Chaſms left, and ſome ſlight Alterations made, to prevent the Writers being diſcovered: Theſe will be readily excuſed, when this Reaſon is known, which I chuſe to give in the Words of an *American* Correſpondent, in his Letter dated Nov. 2, 1765. *I ſhall communicate Things as they happen, although it is at the Riſque of my Life; for the Party, by their Tools, frequently give out, that if they knew the Man that would ſo far aſſiſt* Great-Britain, *as to inform againſt any Man, in this or any other Province, he ſhould not live many Hours.*

APPENDIX.

THE Reader will find, in this Appendix, ſome Claims left, and ſome Rights reſerved, which will be ready to be given in, when the Writers being diſcovered, will be known, which is not yet done.

NUMBER I.

Copy of a LETTER *from Mr.* S——Y C——Y, *to Lieut. Gov.* FAUQUIER.

Sept. 14, 1765.

SIR,

IT is with the greateſt pleaſure I received his Majeſty's Commands to declare to you his moſt gracious approbation of your conduct. His majeſty and his ſervants are ſatisfied, that the precipitate reſolutions you ſent home did not take their riſe from any remiſſneſs or inattention in you; nor is his Majeſty at all inclined to ſuppoſe, that any inſtance of diffidence or diſſatisfaction could be founded in the general inclination of his antient and loyal Colony of Virginia;

the nature of the thing and your repreſentations induce a perſuaſion, that thoſe ill-adviſed reſolutions owed their birth to the violence of ſome individuals, who taking the advantage of a thin aſſembly, ſo far prevailed, as to publiſh their own unformed opinions to the world as the ſentiments of the Colony. But his Majeſty, Sir, will not, by the prevalence of a few men, at a certain moment, be perſuaded to change the opinion, or leſſen the confidence, he has always entertained of the Colony of Virginia; which has always experienced the protection of the Crown. His Majeſty's ſervants, therefore, with entire reliance on your prudence, and on the virtue and wiſdom of the Colony entruſted to your care, perſuade themſelves, that when a full aſſembly ſhall calmly and maturely deliberate upon thoſe reſolutions, they will ſee, and be themſelves alarmed at, the dangerous tendency and miſchievous conſequences which they might be productive of, both to the Mother Country and the Colonies, which are the equal objects of his Majeſty's parental care; and whoſe mutual

happineſs

happineſs and proſperity certainly require a confidential reliance of the Colonies upon the Mother Country.

Upon theſe principles, Sir, and upon your prudent management, and a proper repreſentation to the wiſe and ſober part of the people, how earneſt his Majeſty is to extend the happy influence of his fatherly care over every part of his dominions, it is expected that a full aſſembly will form very different reſolutions, ſuch as may cement that union, which alone can eſtabliſh the ſafety and proſperity of the Colonies and the Mother Country.

As there is no intention in the Crown to attempt, nor in the King's ſervants to adviſe, any incroachments on the real rights and liberties of any part of his Majeſty's ſubjects; ſo neither will his Majeſty undoubtedly ſubmit, or his ſervants adviſe, under any circumſtances, that the reſpect which is due to parliament, and which is neceſſary for the general good of the whole Britiſh empire, ſhould any where be made a ſacrifice to local and dangerous prejudices.

As this important matter is, however, now before his Majeſty's privy council, as well as the other conſideration of the dangerous riot and mutinous behaviour of the people on the frontiers, *I ſhall not pretend to give any advice or inſtructions on theſe ſubjects*; not doubting, but you will ſoon have the fulleſt from the wiſdom of that Board, in all thoſe things, in which, by your laſt accounts, the moſt eſſential intereſts of the Colony are ſo deeply concerned.

You will therefore, in the mean time, be very attentive, by every prudent meaſure in your power, at once to maintain the juſt rights of the Britiſh government, and to preſerve the peace and tranquillity of the Provinces committed to your care.

But as theſe appear to me matters of government fit for his Majeſty's more immediate notice and information, I muſt beg you will not fail to tranſmit to me ſuch occurrences, from time to time, on theſe heads, as you may deem of importance in the light I mention.

I am, &c.

H. S. C——y.

NUMBER

NUMBER II.

Extract of a LETTER *from Mr.* S——Y C——Y, *to Major-General* GAGE.

October 24, 1765.

SIR,

IT is with the greateſt concern, that his Majeſty learns the diſturbances which have ariſen in ſome of the North American Colonies: theſe events will probably create application to you, in which the utmoſt exertion of your prudence may be neceſſary; ſo as juſtly to temper your conduct between that caution and coolneſs, which the delicacy of ſuch a ſituation may demand on one hand, and the vigour neceſſary to ſuppreſs outrage and violence on the other. It is impoſſible, at this diſtance, to aſſiſt you by any particular or poſitive inſtruction, becauſe you will find yourſelf neceſſarily obliged to take your reſolution as particular circumſtances and emergencies may require.

It is hoped, and expected, that this want of confidence in the juſtice and tenderneſs

tenderneſs of the Mother Country, and this open reſiſtance to its authority, can only have found place among the lower and more ignorant of the people. The better and wiſer part of the Colonies will know, that decency and ſubmiſſion may prevail, not only to redreſs grievances, but to obtain grace and favour, while the outrage of a public violence can expect nothing but ſeverity and chaſtiſement. You, and all his Majeſty's ſervants, from a ſenſe of your duty to, and love of, your Country, will endeavour to excite and encourage theſe ſentiments.

If, *by lenient and perſuaſive methods*, you can contribute to reſtore that peace and tranquillity to the Provinces, on which their welfare and happineſs depend, you will do a moſt acceptable and eſſential ſervice to your Country: but *having taken every ſtep which the utmoſt prudence and lenity can dictate*, in compaſſion to the folly and ignorance of ſome miſguided people, you will not, on the other hand, where your aſſiſtance may be wanted to ſtrengthen the hands of government, fail to concur in every proper meaſure for

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its ſupport, by ſuch a timely exertion of force, as may be neceſſary to repel acts of outrage and violence, and to provide for the maintenance of peace and good order in the provinces.

NUMBER III.

Copy of a LETTER *from Mr.* S——Y C——Y, *to Governor* BERNARD.

October 24, 1765.

SIR,

YOUR letters of the 15th, 16th, 22d, and 31ſt of Auguſt, have been received; the three former not till yeſterday.

It is with the greateſt concern his Majeſty learns the diſturbances which have lately ariſen in your Province, the general confuſion that ſeems to reign there, and the total languor and want of energy, in your government, to exert itſelf with any dignity or efficacy, for the ſuppreſſion of tumults, which ſeem to ſtrike at the very being of all authority and ſubordi-

nation

nation among you. His Majeſty cannot but, with the greateſt ſurprize, hear of the refuſal of your Council to call for the aid of any regular force to the ſupport of the civil magiſtracy, at a time when, it ſeems, you had reaſon to think, there was no other power capable of providing for the peace and quiet of the Province.

Nothing can, certainly, exceed the ill-adviſed and intemperate conduct held by a party in your Province, which can in no way contribute to the removal of any real grievance they might labour under, but may tend to obſtruct and impede the exertion of his Majeſty's benevolent attention to the eaſe and comfort, as well as the welfare, of all his people.

It is hoped, and expected, that this want of confidence in the juſtice and tenderneſs of the Mother Country, and this open reſiſtance to its authority, can only have found place among the lower and more ignorant of the people; the better and more wiſe part of the Colonies will know, that decency and ſubmiſſion may prevail, not only to redreſs

grievances,

grievances, but to obtain grace and favour, while the outrage of a public violence can expect nothing but ſeverity and chaſtiſement. Theſe ſentiments, you, and all his Majeſty's ſervants, from a ſenſe of your duty to, and love of, your Country, will endeavour to excite and encourage: you will all, in a particular manner, call upon them not to render their caſe deſperate; you will, in the ſtrongeſt colours, repreſent to them the dreadful conſequences that muſt inevitably attend the forcible and violent reſiſtance to acts of the Britiſh parliament, and the ſcene of miſery and diſtraction to both Countries, inſeparable from ſuch a conduct.

If, by lenient and perſuaſive methods, you can contribute to reſtore that peace and tranquillity to the Provinces, on which their welfare and happineſs depend, you will do a moſt acceptable and eſſential ſervice to your Country; but having taken every ſtep which the utmoſt prudence and lenity can dictate, in compaſſion to the folly and ignorance of

ſome miſguided people, you will not, on the other hand, fail to uſe your utmoſt power for repelling all acts of outrage and violence, and to provide for the maintenance of peace and good order in the Province, by ſuch a timely exertion of force, as the occaſion may require; for which purpoſe, you will make the proper applications to general Gage, or lord Colvil, commanders of his Majeſty's land and naval forces in America: for however unwillingly his Majeſty may conſent to the exertion of ſuch powers as may endanger the ſafety of a ſingle ſubject, yet can he not permit his own dignity, and the authority of the Britiſh Legiſlature, to be trampled on by force and violence, and in avowed contempt of all order, duty and decorum.

If the ſubject is aggrieved, he knows in what manner legally and conſtitutionally to apply for relief: but it is not ſuitable, either to the ſafety or dignity of the Britiſh empire, that any individuals, under the pretence of redreſſing grievances,

grievances, ſhould preſume to violate the public peace.

I am, &c.

H. S. C——Y.

P. S. The ſloop which carries this will carry orders to lord Colvil, and to the governor of Nova-Scotia, to ſend to your aſſiſtance any force which may be thought neceſſary from thence, and which that Province can ſupply.

NUMBER IV.

Copy of Mr. S——Y C——Y's *Circular* LETTER *to the* GOVERNORS *in* North America.

October 24, 1765.

SIR,

IT is with the greateſt concern, that his Majeſty learns the diſturbances which have ariſen in ſome of the North American Colonies: if this evil ſhould ſpread to the Government of ——, where you preſide, the utmoſt exertion of your

prudence will be neceſſary, ſo as juſtly to temper your conduct between that caution and coolneſs which the delicacy of ſuch a ſituation may demand, on the one hand, and the vigour neceſſary to ſuppreſs outrage and violence, on the other. It is impoſſible, at this diſtance, to aſſiſt you, by any particular or poſitive inſtruction; becauſe you will find yourſelf neceſſarily obliged to take your reſolution, as particular circumſtances and emergencies may require.

His Majeſty, and the ſervants he honours with his confidence, cannot but lament the ill-adviſed intemperance ſhewn already in ſome of the Provinces, by taking up a conduct, which can in no way contribute to the removal of any real grievance they might labour under, but may tend to obſtruct and impede the exertion of his Majeſty's benevolence and attention to the eaſe and comfort, as well as the welfare, of all his people.

It is hoped and expected, that this want of confidence in the juſtice and tenderneſs of the Mother Country, and this open reſiſtance to its authority, can

only

only have found place among the lower and more ignorant of the people. The better and wiſer part of the Colonies will know, that decency and ſubmiſſion may prevail, not only to redreſs grievances, but to obtain grace and favour, while the outrage of a public violence can expect nothing but ſeverity and chaſtiſement. Theſe ſentiments you, and all his Majeſty's ſervants, from a ſenſe of your duty to, and love of, your Country, will endeavour to excite and encourage.

You will all, in a particular manner, call upon them not to render their caſe deſperate. You will, in the ſtrongeſt colours, repreſent to them the dreadful conſequences that muſt inevitably attend the forcible and violent reſiſtance to acts of the Britiſh Parliament, and the ſcene of miſery and calamity to themſelves, and of mutual weakneſs and diſtraction to both Countries, inſeparable from ſuch a conduct.

If, by lenient and perſuaſive methods, you can contribute to reſtore that peace and tranquillity to the Provinces, on

which

which their welfare and happineſs depend, you will do a moſt acceptable and eſſential ſervice to your Country: but having taken every ſtep which the utmoſt prudence and lenity can dictate, in compaſſion to the folly and ignorance of ſome miſguided people, you will not, on the other hand, fail to uſe your utmoſt power, for repelling all acts of outrage and violence, and to provide for the maintenance of peace and good order in the Province, by ſuch a timely exertion of force as the occaſion may require; for which purpoſe, you will make the proper applications to general Gage, or lord Colville, commanders of his Majeſty's land and naval forces in America. For however unwillingly his Majeſty may conſent to the exertion of ſuch powers as may endanger the ſafety of a ſingle ſubject; yet can he not permit his own dignity, and the authority of the Britiſh Legiſlature, to be trampled on by force and violence, and in avowed contempt of all order, duty and decorum.

If the ſubject is aggrieved, he knows in what manner legally and conſtitutionally

tionally to apply for relief; but it is not ſuitable, either to the ſafety or dignity of the Britiſh empire, that any individuals, under the pretence of redreſſing grievances, ſhould preſume to violate the public peace.

I am, &c.

H. S. C——y.

P. S. *To Governor* WILMOT.

You will probably receive application from governor Bernard, to ſend him part of the force which may be within your government. Lord Colville has command to tranſport them; and you will be very attentive, that the public ſervice ſhould ſuffer no impediment from any delay in you, when ſuch application is made.

NUMBER V.

Extract of a LETTER *from Mr.* S——Y C——Y, *to Major-General* GAGE.

December 15, 1765.

SIR,

I Had the favour of your letters of the 4th, 8th, and 9th of November laſt, by which I learn, with the utmoſt concern, the diſordered ſtate of the Province where you reſide, and the very riotous and outrageous behaviour of too many of the inhabitants.

I did not fail to lay your diſpatches, together with thoſe of lieutenant-governor Colden, before his Majeſty, who, though highly provoked by ſuch an inſult offered to his governor there, is however pleaſed to hear, that matters were not puſhed to ſuch extremity, as might have coſt the lives of many of his ſubjects, and perhaps have tended, as you ſeem apprehenſive, to the great detriment, if not ruin, of the town of New-York; particularly if the fort had fired on that inſolent and infatuated mob

which

which ſo provokingly approached. The temper ſhewn, as well by lieutenant-governor Colden, as by the officers there, is highly to be commended. His Majeſty is willing to ſuppoſe, that both yourſelf and governor Colden have acted on principles of duty to his ſervice, in the advice and reſolution formed to put the ſtampt paper into the hands of the magiſtrates of New-York; which, however, unleſs the neceſſity for it appeared very preſſing, muſt certainly be looked upon as a ſtep greatly humiliating and derogating to his Majeſty's government.

If the poſt was not tenable, or the papers inſecure there, it ſhould ſeem much preferable to have put them on board the man of war, as was propoſed: nor does there appear any good reaſon, why captain Kennedy refuſed to take them. It is difficult, at this diſtance, to judge with the ſame propriety of the conduct, to be held on occaſions of ſuch difficulty and importance, as on the ſpot. Had the perſonal ſafety of thoſe in the fort alone been conſidered, I am perſuaded, there would not have been a

moment's heſitation about the defence of it, againſt any attack that might raſhly have been attempted: nor can his Majeſty ſuppoſe any want of reſolution for his ſervice, in thoſe who have, in their different ſtations, given ſo many proofs of their regard to it. It ſhould otherwiſe ſeem, that the reality of the mobs being armed and prepared for an actual attack, ſhould have been well aſcertained before the papers were given up.

The ſtep you have thought fit to take, in drawing together ſuch forces as their ſituation allowed, was certainly prudent, and could not be too ſoon determined, on any poſitive grounds, to ſuſpect an inſurrection; and eſpecially in regard to the ſecuring his Majeſty's ſtores, a circumſtance which will ſtill demand your greateſt attention; and particularly thoſe arms, which may be ſeized by the mob for their own mutinous purpoſes.

Your ſituation is certainly delicate and difficult, it requires both prudence and firmneſs in the conduct of all employed in his Majeſty's ſervice there; eſpecially, conſidering

conſidering what you ſay of the difficulty, or rather impoſſibility, of drawing any conſiderable number of men together, and of the impracticability of attempting any thing by force, in the preſent diſpoſition of the people, without a reſpectable body of troops.

You ſeem to think there are ſtill hopes, that as the ſpirits of thoſe unhappy people have time to cool, there will be more ſubmiſſion ſhewn; you will not fail, I am perſuaded, in your ſtation, to avail yourſelf of every favourable ſymptom for the improvement of ſuch favourable diſpoſitions, any more than to exert yourſelf, where the neceſſity of the caſe may require, in ſupport of the honour of government, and for ſuppreſſing any riotous or rebellious reſiſtance offered to the laws, or thoſe magiſtrates who have the execution of them.

I hope my former letters are come ſafe, *as they will have conveyed to you his Majeſty's ſentiments and commands for your conduct, on the firſt notice of theſe diſturbances.*

NUMBER VI.

Copy of a LETTER *from Mr.* S——Y C——Y, *to Lieutenant-Governor* COLDEN.

December 15, 1765.

SIR,

I Have received your letter of the 5th of November by major James, and that of the 9th of the ſame month by the pacquet, with the minutes of the council of New-York, from the 31ſt of October to the 6th of November, &c.— From your laſt letter, I have hopes that time will produce a recollection, which may lead theſe unhappy people back to a ſenſe of their duty; and that, in the mean time, every proper and practicable meaſure will be taken to awe that licentious ſpirit, which has hurried them to thoſe acts of outrage and violence, equally dangerous to the ſober and well-diſpoſed part of the people, the eaſe and quiet of the city, and ſubverſive of all order and authority among them.

Sir

Sir Henry Moore will certainly be arrived before this reaches you; it is expected, therefore, Sir, from your knowledge of the country and people, that you ſhould inform the new governor of every thing neceſſary for his knowledge, as well reſpecting the ſtate of things, as the characters and diſpoſitions of men in that country. He will ſee that, by his inſtructions, he is empowered to ſuſpend members of the council, and officers of the law, who ſhall appear to deſire it; being, in that caſe, only obliged to ſend home immediately the reaſons and cauſes of ſuch ſuſpenſion. It is not improbable, that ſuch times as theſe may require the exerciſe of that power: as it is not doubted the governor will uſe it with diſcretion, ſo it is expected he ſhould not want firmneſs to uſe it boldly, whenever it may ſeem uſeful to the King's ſervice and the public peace.

NUMBER

NUMBER VII.

Copy of the RESOLUTIONS *of the Houſe of Burgeſſes in* Virginia, *in conſequence of a Motion made* (May 29, 1765,) *to take into Conſideration the late Act for levying a Duty upon Stamps.*

Reſolved, THAT the firſt adventurers and ſettlers of this his Majeſty's Colony and Dominion of Virginia brought with them, and tranſmitted to their poſterity, and all other his Majeſty's ſubjects ſince inhabiting in this his Majeſty's ſaid Colony, all the liberties, privileges, franchiſes and immunities, that have at any time been held and enjoyed, and poſſeſſed by the people of Great Britain.

Reſolved, That, by two royal charters granted by king James I. the Colonies aforeſaid are declared entitled to all liberties, privileges and immunities of denizens and natural ſubjects, to all intents and purpoſes, as if they had been abiding

abiding and born within the realm of England.

Reſolved, That the taxation of the people, by themſelves, or by perſons choſen by themſelves to repreſent them, who can only know what taxes the people are able to bear, or the eaſieſt method of raiſing them, and muſt themſelves be affected by every tax laid on the people, is the only ſecurity againſt a burthenſome taxation, and the diſtinguiſhing characteriſtic of Britiſh freedom, without which the antient conſtitution cannot exiſt.

Reſolved, That his Majeſty's liege people of this his moſt antient and loyal Colony have, without interruption, enjoyed the ineſtimable right of being governed by ſuch laws, reſpecting their internal polity and taxation, as are derived from their own conſent, with the approbation of their ſovereign, or his ſubſtitutes, and that the ſame hath been conſtantly recognized by the King and People of Great Britain.

NUMBER VIII.

October 1, 1765.

Copy of a Repreſentation of the Lords Commiſſioners for Trade and Plantations, touching the Proceedings and Reſolutions of the Houſe of Repreſentatives of Maſſachuſet's Bay, *with reſpect to the Act for levying a Duty upon Stamps in* America, *and to other Acts of the Parliament of* Great Britain.

To the KING's *Moſt Excellent Majeſty.*

May it pleaſe your Majeſty,

THE Houſe of Repreſentatives of your Majeſty's Province of Maſſachuſet's Bay having, laſt year, printed and publiſhed, in the journals of their proceedings, a letter from a Committee of that Houſe to their Agent here; in which letter the acts and reſolutions of the Parliament of Great-Britain were treated with the moſt indecent diſreſpect, and principles tending to a denial of the right

right of Parliament to levy taxes upon your Majeſty's ſubjects in the Colonies, were openly avowed; our predeceſſors in office thought it their duty to tranſmit this tranſaction to your Majeſty's conſideration, to the end that ſuch directions might be given, as the nature and importance of the matter ſhould appear to require.

Since this, and ſince the paſſing the act of Parliament for levying a ſtamp duty in America, the grounds of which act gave riſe to the reflexions contained in the above-mentioned letter, the ſame ſpirit that dictated the ſentiments it expreſſes, has appeared throughout the whole proceedings of the ſaid Houſe of Repreſentatives.

Upon the election of counſellors, who, by the conſtitution of this Colony, are annually choſen by the Houſe of Repreſentatives, the ſtrongeſt endeavours were uſed to preclude your Majeſty's ſecretary of ſtate, who has always been a member of the council from his ſeat at that Board; and this, as your Majeſty's governor repreſents, merely on account of

his having received an appointment (unſolicited) to be a diſtributor of the ſtamps: and the motion made in that Houſe, to diſcontinue the annual ſalary allowed for the ſupport of your Majeſty's governor, upon which proceeding we have this day made a ſeparate repreſentation to your Majeſty, ſeems to have ariſen from the ſame motives.

Theſe, however, being only attempts of individuals in the community, would not either have required or deſerved your Majeſty's attention, in the light in which we view them; but it further appears, from the journals of the Houſe of Repreſentatives in their laſt ſeſſion, that *this Aſſembly, having thought fit to make the propriety and expediency of the ſtamp-act, and of other acts of parliament, a ſubject of open queſtion and diſcuſſion,* came to ſeveral reſolutions and proceedings thereupon, which they kept ſecret till the laſt day of their ſeſſion, when they publiſhed them in their printed journals.—Then follow the reſolutions.—Then the Board of Trade proceeds thus: The object of the reſolutions and proceedings of *the*

Houſe

Houſe of Repreſentatives of Maſſachuſet's Bay, is to recommend to, and induce, the reſt of your Majeſty's Colonies in *America*, to join in *a general congreſs of committees from the ſeveral aſſemblies, independent of the other branches of the legiſlature, and without any previous application to your Majeſty, to conſider and deliberate upon the acts of the parliament of this kingdom.* As this appears to us to be the firſt inſtance of a general congreſs, appointed by the Aſſemblies of the Colonies without the authority of the Crown; a meaſure which we conceive of dangerous tendency in itſelf, and more eſpecially ſo, when taken for the purpoſes expreſſed in the above-mentioned reſolution, and connected with the ſpirit that has appeared throughout the whole conduct of this particular Aſſembly; we therefore think it our indiſpenſible duty to ſubmit this matter to your Majeſty's conſideration, for ſuch directions as your Majeſty, with the advice of your Council, may think proper and expedient to give thereupon.

All which is moſt humbly ſubmitted, &c.

Whitehall, Oct. 1, 1765.

NUMBER IX.

Copy of a Repreſentation from the Board of Trade, with ſeveral Papers tranſmitted, relative to the outrageous Behaviour of the People at the Town of Boſton, *in Oppoſition to the Stamp-Duty Act. Dated* October 10, 1765.

To the KING's *Moſt Excellent Majeſty.*

May it pleaſe your Majeſty,

SINCE our humble repreſentation to your Majeſty of the 1ſt inſt. in conſequence of ſome alarming proceedings of the Houſe of Repreſentatives, in the Province of Maſſachuſet's Bay, we have received letters from ——, giving an account of a riot of a moſt dangerous tendency, which had ariſen in the town of Boſton, and which, directing its fury againſt the houſes and perſons of the lieutenant-governor, and other principal officers of government, continued with repeated acts of extraordinary violence, from the 15th of Auguſt to the 26th of the

the ſame month; at which period the tumult ſeemed ſuſpended, rather than allayed.

In whatever light theſe diſturbances may be viewed, whether in reſpect of the avowed object, which the perpetrators and abettors of them declare to be a general reſolution, to oppoſe and prevent the execution of an act of the Parliament of Great-Britain, or in reſpect of the ſtate of government and magiſtracy there, which —— repreſents to be utterly incapable of reſiſting or ſuppreſſing theſe tumults and diſorders, they ſeem to us of ſuch high importance, that we loſe no time in laying the letters and papers relating thereunto before your Majeſty, that your Majeſty may direct ſuch meaſures to be purſued, as your Majeſty, with the advice of your Council, ſhall think moſt prudent and effectual.

Which is moſt humbly ſubmitted, &c.

NUMBER

NUMBER X.

Extract of a Letter from ——, to Mr. S——y C——y.

New-York, Sept. 23, 1765.

THE reſolves of the Aſſembly of Virginia, which you will have ſeen, gave the ſignal for a general outcry over the Continent; and though I do not find, that the Aſſembly of any other Province has yet come to reſolutions of the ſame tendency, they have been applauded as the protectors and aſſertors of American liberty; and all perſons excited and encouraged by writings in the public papers, and ſpeeches, without any reſerve, to oppoſe the execution of the act: the general ſcheme concerted throughout ſeems to have been, firſt, by menace or force, to oblige the ſtamp officers to reſign their employments, in which they have generally ſucceeded; and next, to deſtroy the ſtampt papers upon their arrival; that, having no ſtamps, neceſſity might be an excuſe

excuſe for the diſpatch of buſineſs without them; and that, before they could be replaced, the clamour and outcry of the people, with addreſſes and remonſtrances from the Aſſemblies, might procure a repeal of the act. The populace of *Boſton* took the lead in the riots, and by an aſſault upon the houſe of the ſtamp officer, forced him to a reſignation. The little turbulent Colony of *Rhode-Iſland* raiſed their mob likewiſe; who were not content only to force a promiſe from the perſon appointed to diſtribute the ſtamps, that he would not act in that employment, but alſo aſſaulted and deſtroyed the houſes and furniture of Meſſ. Howard and Moffatt, and obliged them to fly for ſafety on board a ſhip of war: the firſt, a lawyer of reputation, *had wrote in defence of the rights of the Parliament of Great-Britain to lay taxes upon the Colonies*; the other a phyſician, who had ſupported the ſame in his converſations. The neighbouring Provinces ſeemed inclined to follow theſe examples, but were prevented by the almoſt general reſignation of the ſtamp officers.

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The Boſton mob, raiſed firſt by the inſtigation of many of the principal inhabitants, allured by plunder, roſe ſhortly after of their own accord; attacked, robbed, and deſtroyed ſeveral houſes, and amongſt others, that of the Lieutenant-governor, and only ſpared the Governor's, becauſe his effects had been removed. People then began to be terrified at the ſpirit they had raiſed; to perceive that popular fury was not to be guided, and each individual feared he might be the next victim to their rapacity. The ſame fears ſpread through the other Provinces, *and there has been as much pains taken ſince, to prevent inſurrections of the people, as before to excite them.*

NUMBER XI.

Extract of a State of the Province, contained in a Letter to Mr. C——y, *dated,* Dec. 13, 1765.

THE gentlemen of the law make the ſecond claſs, in which are properly included both the bench and the bar; both

both of them act on the ſame principles, and are of the moſt diſtinguiſhed families in the policy of the Province.

The merchants make the third claſs; *many of them have ſuddenly roſe from the loweſt rank of the people to conſiderable fortunes, and chiefly in the laſt war, by illicit trade; they abhor every limitation of trade and duties, and therefore gladly go into every meaſure, whereby they hope to have trade free.*

The gentlemen of the law, both the judges, and the principal practitioners at the bar, are either owners, or ſtrongly connected in family intereſt with the proprietors in general.—The gentlemen of the law, ſome years ſince, entered into an aſſociation, with intention, among other things, to aſſume the direction of government upon them, by the influence they had in the aſſembly; gained by their family connections, and by the profeſſion of the law, whereby they are unavoidably in the ſecrets of many families. Many court their friendſhip, and all dread their hatred; by theſe means, though few of them are mem-

bers, they rule the Houſe of the Aſſembly, in all matters of importance; the greateſt number of the aſſembly being common farmers, who know little of men and things, and are eaſily deluded and ſeduced.

By this aſſociation, united in intereſt and family connections with the proprietors of the great tracts, a domination of lawyers was formed in this Province, which, for ſome years paſt, has been too ſtrong for the executive powers of government.—Beſides what is before related, it is neceſſary to obſerve, that, for ſeveral years paſt, the Aſſembly grants the ſupport of power only from year to year; they increaſe and leſſen the ſalaries of all the officers at their pleaſure; and the bill paſſed in the Houſe of Aſſembly (the author means the Houſe of Commons) in the laſt ſeſſions of parliament, laying internal taxes on the Colony, and paying all the officers of government, as it is ſuggeſted they may intend to do, will deſtroy the great and undue influence, which the Aſſembly has gained over the adminiſtration, to

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the great prejudice of his Majeſty's prerogative in the Colonies; *and it is chiefly for this reaſon that the popular leaders ſo violently oppoſe the act for laying a Stamp Duty.*

NUMBER XII.

Extract of a LETTER *to the* LORDS *of* TRADE, *dated* Aug. 15, 1766.

YESTERDAY morning, at break of day, was diſcovered hanging upon a tree, in a ſtreet in the town, an effigy, with inſcriptions, ſhewing, that it was intended to repreſent Mr. Oliver the ſecretary, who had lately accepted the office of Stamp Diſtributor. Some of the neighbours offered to take it down, but they were given to know, that would not be permitted. Many gentlemen, eſpecially ſome of the council, treated it as a boyiſh ſport, that did not deſerve the notice of the Governor and Council. However, the Lieutenant-governor, as chief juſtice, directed the Sheriff to or-

der his officers to take down the effigy; and a Council was appointed to meet in the afternoon, to conſider what ſhould be done, if the Sheriff's officers were obſtructed in removing the effigy.

Before the Council met, the Sheriff reported, that his officers had endeavoured to take down the effigy, but could not do it without imminent danger of their lives. The Council met, repreſented this tranſaction as the beginning of much greater commotions, and deſired their advice what ſhould be done upon this occaſion. A majority of the Council ſpoke in form againſt doing any thing; but upon very different principles: ſome ſaid it was a trifling buſineſs, which, if let alone, would ſubſide of itſelf; but if taken notice of, would become a ſerious affair. Others ſaid, that it was a ſerious affair already: that it was a preconcerted buſineſs, in which the greateſt part of the town was engaged: that there was no force to oppoſe it, and making an oppoſition to it, without a power to ſupport the oppoſition, would only enflame the People.

and

and be a means of extending the miſchief to perſons not at preſent the objects of it.—The Sheriff was ordered to aſſemble the peace officers, and preſerve the peace; a matter of form, rather than real ſignificance.

It now grew dark; when the mob, which had been gathering all the afternoon, came down to the Town-houſe, bringing the effigy with them; and, knowing that they were ſitting in the Council-chamber, they gave three huzzas, by way of defiance, and paſſed on. From thence they went to a new building, lately erected by Mr. Oliver to let out for ſhops, and not quite finiſhed: this they called the Stamp-office, and pulled it down to the ground in five minutes. From thence they went to Mr. Oliver's houſe, before which they beheaded the effigy, and broke all the windows next the ſtreet. Then they carried the effigy to Fort Hill, near Mr. Oliver's houſe, where they burnt the effigy in a bonfire, made of the timber they had pulled down from the building. Mr. Oliver had removed his family from

his

his houſe, and remained himſelf with a few friends, when the mob returned to attack the houſe.

Mr. Oliver was prevailed upon to retire, and his friends kept poſſeſſion of the houſe: the mob finding the door barricaded, broke down the whole fence of the garden towards Fort Hill; and coming on, beat all the doors and windows of the garden front, and entered the houſe, the gentlemen there retiring. As ſoon as they had got poſſeſſion, they ſearched about for Mr. Oliver, declaring they would kill him. Finding that he had left the houſe, a party ſet out to ſearch two neighbouring houſes, in one of which Mr. Oliver was; but, happily, they were diverted from this purſuit by a gentleman telling them, that Mr. Oliver was gone with the Governor to the Caſtle; otherwiſe he would certainly have been murthered. After eleven o'clock, the mob ſeeming to grow quiet, the Lieutenant-governor, Chief Juſtice, and the Sheriff, ventured to go to Mr. Oliver's houſe, to endeavour to perſuade them to diſperſe; as ſoon as they began

to ſpeak, a ringleader cried out, "The Governor and the Sheriff, to your arms, my boys;" preſently after, a volley of ſtones followed, and the two gentlemen narrowly eſcaped, through favour of the night, not without ſome bruiſes. I ſhould have mentioned before, that a written order was ſent to the Colonel of the regiment of militia, to beat an alarm: he anſwered, that it would ſignify nothing, for, as ſoon as the drum was heard, the drummer would be knocked down, and the drum broke: he added, that probably all the drummers of the regiment were in the mob. Nothing more being to be done, the mob were left to diſperſe at their own time, which they did about twelve o'clock.—Whilſt I am writing, I ſaw a bonfire burning on Fort Hill, by which I underſtand the mob is up, and probably doing miſchief; I ſhall therefore diſcontinue this letter till I can receive information of what is done this night.

Auguſt 16.

IN the afternoon of yeſterday, ſeveral gentlemen applied to Mr. Oliver, to adviſe him to make a public declaration, that he would reſign the office, and never act in it; without which they ſaid his houſe would be immediately deſtroyed, and his life in continual danger: upon which he was obliged to authorize ſome gentlemen to declare in public, that he would immediately apply for leave to reſign, and would not act in the office (as indeed it was impoſſible for him to do) until he received further orders.

Auguſt 22.

I Come now to purſue the ſubject of my letter, dated the 15th and 16th inſtant.—It is difficult to conceive the fury, which at preſent poſſeſſes the people of Boſton, of all orders and degrees of men: if a gentleman, in common converſation, ſignifies his diſapprobation of this inſurrection, his perſon is immediately in danger. A gentleman having ſaid, that, notwithſtanding what

was

was paſſed, he would accept of the ſtamp-office, a day was fixed for pulling down his houſe; it was prevented not without difficulty. Another gentleman having mentioned his expectation, that ſome regular forces would be ſent into the town, was obliged to make interceſſion to prevent his being mobbed. A Miniſter of the church of England having, in his ſermon, obliquely condemned theſe proceedings, has been threatened with the reſentment of the People. On the other hand, a Miniſter of one of the principal meetings told Mr. Oliver, that though he was ſorry this miſchief had fell upon him, yet it was a very proper and neceſſary proceeding, and he quite approved of it. Another congregational Miniſter, well known by his late polemical writings, has, as I have been told by ſeveral perſons, juſtified this proceeding in his ſermon, and prayed for its ſucceſs: but there are congregational Miniſters, I doubt not, (and I know ſome) who condemn it, but they dare not ſpeak out, which is the caſe of every one who does not approve of it.—

I would not willingly aggravate matters, but I really fear much worſe is to come than is paſſed: the Sheriff of this county, a prudent and reſolute man, has told me, that he was applied to by ſome friends, who would have perſuaded him to reſign his office, for it would ſoon become dangerous for a civil officer to appear; and that both his deputies at Boſton had applied to reſign. The firſt of November is appointed for a grand jubilee; when, I ſuppoſe, there will be much miſchief done, and vengeance wrecked upon thoſe who remain friends to government.

Auguſt 31, 1765.

IT is with the utmoſt concern, that I am obliged to continue the ſubject of my laſt letters of the 15th and 16th, and of the 22d inſt. the diſorders of the town having been carried to much greater lengths than what I have informed your Lordſhips of.

After the demolition of Mr. Oliver's houſe was found ſo practicable and eaſy, that the government was obliged to look

on,

on, without being able to take any one ſtep to prevent it, and the principal people of the town publicly avowed and juſtified the act, the mob, both great and ſmall, became highly elated, and all kinds of ill-humours were ſet on foot: every thing that, for years paſt, had been the cauſe of any popular diſcontent, was revived; and private reſentments againſt perſons in office worked themſelves in, and endeavoured to exert themſelves under the maſk of the public cauſe.

On Monday, Auguſt 26, there was ſome ſmall rumour, that miſchief would be done that night; but it was in general diſregarded. Towards evening, ſome boys began to light a bonfire before the Town-houſe, which is an uſual ſignal for a mob. Before it was quite dark, a great company of people gathered together, crying, *Liberty and Property*; which is their uſual notice of their intention to plunder and pull down an houſe. They went firſt to Mr. Paxton's houſe, who is marſhal of the Court of Admiralty, and ſurveyor of the port; and finding

before it the owner of the houſe (Mr. Paxton being only a tenant) he aſſured them, that Mr. Paxton had quitted the houſe with his beſt effects, and that the houſe was his; that he had never injured them, and finally, invited them to go to the tavern and drink a barrel of punch: the offer was accepted, and ſo that houſe was ſaved. As ſoon as they had drank the punch, they went to the houſe of Mr. Storey, regiſter-deputy of the Admiralty, broke into it, and broke it all to-pieces, and took out all the books and papers, among which were all the records of the Court of Admiralty, and carried them to the bonfire, and there burnt them; they alſo looked about for him with an intention to kill him. From thence they went to Mr. Hollowell's, comptroller of the Cuſtoms, broke into his houſe, and deſtroyed and carried off every thing of value, with about thirty pounds, ſterling, in caſh. This houſe was lately built by himſelf, and fitted and furniſhed with great elegance. But the grand miſchief of all was to come.

The

The Lieutenant-governor had been apprized, that there was an evil ſpirit gone forth againſt him; but, being conſcious that he had not in the leaſt deſerved to be made a party, in regard to the Stamp-act or the Cuſtom-houſe, he reſted in full ſecurity that the mob would not attack him; and he was at ſupper with his family when he received advice that the mob was coming to him. He immediately ſent away his children, and determined to ſtay in the houſe himſelf: but, happily, his eldeſt daughter returned, and declared ſhe would not ſtir from the houſe, unleſs he went with her; by which means ſhe got him away, which was undoubtedly the occaſion of ſaving his life. For, as ſoon as the mob had got into the houſe, with a moſt irreſiſtable fury, they immediately looked about for him, to murder him, and even made diligent enquiry whither he was gone. They went to work with a rage ſcarce to be exemplified by the moſt ſavage people. Every thing moveable was deſtroyed in the moſt minute manner, except ſuch things of value as were worth carrying

carrying off; among which were near 1000l. ſterling, in ſpecie, beſides a great quantity of family plate, &c. But the loſs to be moſt lamented is, that there was in one room, kept for that purpoſe, a large and valuable collection of manuſcripts and original papers, which he had been gathering all his life-time, and to which all perſons, who had been in poſſeſſion of valuable papers of a public kind, had been contributing, as to a public Muſeum. As theſe related to the hiſtory and policy of the country, from the time of its ſettlement to the preſent, and was the only collection of its kind, the loſs to the public is great and irretrievable, as it is to himſelf, the loſs of the papers of a family, which had made a figure in this Province for a hundred and thirty years. As for the houſe, which, from its ſtructure and inſide finiſhing, ſeemed to be from a deſign of Inigo Jones, or his ſucceſſor, it appears, that they were a long while reſolved to level it to the ground: they worked three hours at the cupola before they could get it down, and they uncovered

part

part of the roof; but I ſuppoſe, that the thickneſs of the walls, which were of very fine brick-work, adorned with Ionic pilaſters worked into the wall, prevented their compleating their purpoſe, though they worked at it till day-light. The next day, the ſtreets were found ſcattered with money, plate, gold rings, &c. which had been dropt in carrying off. The whole loſs in this houſe is reckoned at 3000 l. ſterling.—It was now becoming a war of plunder, of general levelling, and taking away the diſtinction of rich and poor: ſo that thoſe gentlemen, who had promoted and approved the cruel treatment of Mr. Oliver, became now as fearful for themſelves as the moſt loyal perſon in the town could be.——When firſt the town took this new turn, I was in hopes that they would have diſavowed all the riotous proceedings; that of the firſt night, as well as the laſt. But it is no ſuch thing, great pains are taken to ſeparate the two riots: what was done againſt Mr. Oliver is ſtill approved of, as a neceſſary declaration of their reſolution not to ſubmit to the Stamp-act; and

even

even the cruel treatment of him and his family is juſtified by its conſequences, the frightening him into a reſignation: and it has been publicly hinted, that if a line is not drawn between the firſt riot and the laſt, the Civil Power will not be ſupported by the principal people of the town, as it is aſſured it ſhall be now.—So that the preſent authority of the Government is only exerciſed upon condition, and with preſcribed limitations.

NUMBER XIII.

EXTRACT *from* NEWS-PAPERS.

New-York, Nov. 4.

THE late extraordinary and unprecedented preparations in Fort George, and the ſecuring the ſtamped paper in that garriſon, having greatly alarmed and diſpleaſed the inhabitants of this city, a vaſt number of them aſſembled laſt Friday evening in the Commons, from whence they marched down the Fly, (preceded by a number of lights)

lights) and having ſtopped a few minutes at the coffee-houſe, proceeded to the fort walls; when they broke open the ſtable of the Lieutenant-governor, took out his coach, and, after carrying the ſame through the principal ſtreets of the city in triumph, marched to the Commons, where a gallows was erected, at one end of which was ſuſpended the effigy of the perſon whoſe property the coach was: in his right hand he held a ſtamped bill of lading, and on his breaſt was affixed a paper with the following inſcription, *The Rebel Drummer in the Year* 1765; at his back was fixed a drum, the badge of his profeſſion; at the other end of the gallows hung the figure of the Devil, a proper companion for the other, as it is ſuppoſed it was entirely at his inſtigation he acted: after they had hung there a conſiderable time, they carried the effigies with the gallows entire, being preceded by the coach, in a grand proceſſion, to the gate of the fort, where it remained for ſome time; from whence it was removed to the Bowling-green, under the muzzles of the fort guns,

where a bonfire was immediately made, and the Drummer, Devil, Coach, &c. were conſumed, amidſt the acclamations of ſome thouſands of ſpectators; and, we make no doubt, but the Lieutenant-governor and his friends had the mortification of viewing the whole proceeding from the ramparts of the fort. But the buſineſs of the night not being yet concluded, the whole body proceeded with the greateſt decency and good order to Vauxhall, the houſe of major James, who, it was reported, was a friend to the Stamp-act, and had been over officious in his duty, from whence they took every individual article, to a very conſiderable amount, and having made another bonfire, the whole was conſumed in the flames, to the great ſatisfaction of every perſon preſent; after which they diſperſed, and every man went to his reſpective habitation. The whole affair was conducted with ſuch decorum, that not the leaſt accident happened.

NUMBER XIV.

Philadelphia. In Aſſembly, Sept. 21, 1765. A.M.

THE Houſe taking into conſideration, that an act of parliament has lately paſſed in England, for impoſing certain ſtamp-duties, and other duties, on his Majeſty's ſubjects in America, whereby they conceive ſome of their moſt eſſential and valuable rights as Britiſh ſubjects to be deeply affected, think it a duty they owe to themſelves and their poſterity, to come to the following reſolutions, viz.

Reſolved, *nem. con.* That the Aſſemblies of this Province have, from time to time, *whenever requiſitions have been made by his Majeſty for carrying on military operations for the defence of America*, moſt chearfully and liberally contributed their full proportion of men and money for thoſe ſervices.

Reſolved, *nem. con.* That whenever his Majeſty's ſervice ſhall, for the future, require the aids of the inhabitants of this Province, and *they ſhall be called upon*

for that purpoſe in a conſtitutional way, it will be their indiſpenſible duty, moſt chearfully and liberally to grant to his Majeſty their proportion of men and money, for the defence, ſecurity and other public ſervices of the Britiſh American Colonies.

Reſolved, *nem. con.* That the inhabitants of this Province are entitled to all the liberties, rights, and privileges of his Majeſty's ſubjects in Great-Britain or elſewhere; and that the conſtitution of government in this Province is founded on the natural rights of mankind, and the noble principles of Engliſh liberty, and therefore is, or ought to be, perfectly free.

Reſolved, *nem. con.* That it is the intereſt, birthright, and indubitable privilege of every Britiſh ſubject, to be taxed only by his own conſent, or that of his legal repreſentatives, in conjunction with his Majeſty, or his ſubſtitutes.

Reſolved, *nem. con. That the only legal repreſentatives of the inhabitants of this Province are the perſons they annually elect, to ſerve as members of Aſſembly.*

Reſolved

Reſolved therefore, *nem. con.* That *the taxation of the people of this Province, by any other perſons whatſoever than ſuch their repreſentatives in Aſſembly, is unconſtitutional, and ſubverſive of their moſt valuable rights.*

Reſolved, *nem. con.* That the laying taxes upon the inhabitants of this Province in any other manner, *being manifeſtly ſubverſive of public liberty*, muſt, of neceſſary conſequence, be utterly deſtructive of public happineſs.

Reſolved, *nem. con.* That the reſting an authority, in the Courts of Admiralty, to decide, in ſuits relating to the Stamp Duties, and other matters, foreign to their proper juriſdiction, is highly dangerous to the liberties of his Majeſty's American ſubjects, contrary to Magna Charta; the great charter and fountain of Engliſh liberty, and deſtructive of one of their moſt darling and acknowledged rights, that of trials by juries.

Reſolved, *nem. con.* That it is the opinion of this Houſe, that the reſtraints, impoſed by ſeveral late acts of parliament, on the trade of this Province, at

a time

a time when the people labour under an enormous debt, muſt, of neceſſity, be attended with the moſt fatal conſequences; not only to this Province, but to the trade of our Mother Country.

Reſolved, *nem. con.* That this Houſe think it their duty thus firmly to aſſert, *with modeſty and decency*, their inherent rights, that their poſterity may learn and know that it was not with their conſent and acquieſcence, that *any taxes ſhould be levied on them by any perſon, but their own repreſentatives*; and are deſirous, that theſe their reſolves ſhould remain on their Minutes, as a teſtimony of the zeal and ardent deſire of the preſent Houſe of Aſſembly, to preſerve their ineſtimable rights, which, as Engliſhmen, they have poſſeſſed ever ſince this Province was ſettled, and to tranſmit them to their lateſt poſterity.

F I N I S.

BOOKS printed for J. ALMON, oppoſite Burlington Houſe, in Piccadilly.

I. THE ROYAL KALENDAR; or, CORRECT ANNUAL REGISTER for *England*, *Scotland* and *Ireland*, for 1767. With the *Arms*, *Supporters*, *Creſts* and *Mottoes* of the Peers of England, finely engraved, and complete.

AUTHENTIC
ACCOUNT
OF THE
PROCEEDINGS
OF THE
CONGRESS
HELD AT
NEW-YORK,
IN MDCCLXV,
On the SUBJECT of the
AMERICAN STAMP ACT.

MDCCLXVII.

[Price One Shilling.]

PROCEEDINGS

OF THE

CONGRESS

AT

NEW-YORK.

BOSTON, *June* 1765.

SIR,

THE Houſe of Repreſentatives of this province, in the preſent ſeſſion of the general court, have unanimouſly agreed to propoſe a meeting, as ſoon as may be, of COMMITTEES, from the houſes of repreſentatives or burgeſſes of the ſeveral Britiſh colonies on this continent, to conſult together on the preſent circumſtances of the colonies, and the difficulties to which they are, and muſt be reduced, by the operation of the acts of parliament for levying duties and taxes on the colonies; and to conſider of a ge-

neral, and united, dutiful, loyal and humble repreſentation of their condition, to his Majeſty and the Parliament, and to implore relief. The houſe of repreſentatives of this province have alſo voted to propoſe, That ſuch meeting be at the city of New-York, in the province of New-York, on the firſt Tueſday in October next; and have appointed a committee of three of their members to attend that ſervice, with ſuch as the other houſes of repreſentatives, or burgeſſes, in the ſeveral colonies, may think fit to appoint to meet them. And the committee of the houſe of repreſentatives of this province, are directed to repair to ſaid New-York, on ſaid firſt Tueſday in October next, accordingly.

If, therefore, your honourable houſe ſhould agree to this propoſal, it would be acceptable, that as early notice of it as poſſible, might be tranſmitted to the ſpeaker of the houſe of repreſentatives of this province.

SAMUEL WHITE, *Speaker.*

In conſequence of the foregoing circular letter, the following gentlemen met at New-York, in the province of New-York, on Monday the ſeventh day of October, 1765, viz.

From

From the province of the Maſſachuſetts-bay,

JAMES OTIS,
OLIVER PATRIDGE,
TIMOTHY RUGGLES,
} Eſquires.

From the colony of Rhode-Iſland, and Providence plantations,

METCALF BOWLER,
HENRY WARD,
} Eſquires.

From the colony of Connecticut,

ELIPHALET DYER,
DAVID ROWLAND,
WILLIAM SAMUEL JOHNSON,
} Eſquires.

From the colony of New-York,

ROBERT R. LIVINGSTON,
JOHN CRUGER,
PHILIP LIVINGSTON,
WILLIAM BYARD,
LEONARD LISPENARD,
} Eſquires.

From the colony of New-Jerſey,

ROBERT OGDEN,
HENDRICK FISHER,
JOSEPH BORDEN,
} Eſquires.

From the Province of Pennſylvania.

JOHN DICKENSON,
JOHN MORTON,
GEORGE BRYAN,
} Eſquires.

From

From the government of the counties of Newcaſtle, Kent, and Suſſex, on Delaware,

CÆSAR RODNEY,
THOMAS M'KEAN, } Eſquires.

From the province of Maryland,

WILLIAM MURDOCK,
EDWARD TILGHMAN,
THOMAS RINGGOLD, } Eſquires.

From the province of South-Carolina,

THOMAS LYNCH,
CHRISTOPHER GADSDEN,
JOHN RUTLEDGE, } Eſquires,

Then the ſaid committees proceeded to chuſe a chairman by ballot, and Timothy Ruggles, eſq; on ſorting and counting the votes, appeared to have a majority, and thereupon was placed in the chair.

SATURDAY, October 19, 1765, A. M.

The congreſs met according to adjournment, and reſumed, *&c.* as yeſterday. And, upon mature deliberation, agreed to the following declarations of the rights and grievances of the coloniſts in America, which were ordered to be inſerted.

The members of this congreſs, ſincerely devoted, with the warmeſt ſentiments of affection

affection and duty to his Majeſty's perſon and government, inviolably attached to the preſent happy eſtabliſhment of the Proteſtant ſucceſſion, and with minds deeply impreſſed by a ſenſe of the preſent and impending misfortunes of the Britiſh colonies on this continent; having conſidered as maturely as time will permit, the circumſtances of the ſaid colonies, eſteem it our indiſpenſable duty to make the following declarations of our humble opinion, reſpecting the moſt eſſential rights and liberties of the coloniſts, and of the grievances under which they labour, by reaſon of ſeveral late acts of parliament.

I. That his Majeſty's ſubjects in theſe colonies, owe the ſame allegiance to the crown of Great-Britain, that is owing from his ſubjects born within the realm, and all due ſubordination to that auguſt body the parliament of Great-Britain.

II. That his Majeſty's liege ſubjects in theſe colonies, are entitled to all the inherent rights and liberties of his natural born ſubjects, within the kingdom of Great-Britain.

III. That it is inſeparably eſſential to the freedom of a people, and the undoubted right of Engliſhmen, that no taxes be impoſed on them but with their own conſent, given perſonally, or by their repreſentatives.

IV. That

IV. That the people of theſe colonies are not, and, from their local circumſtances, cannot be, repreſented in the Houſe of Commons in Great-Britain.

V. That the only repreſentatives of the people of theſe colonies are perſons choſen therein by themſelves, and that no taxes ever have been, or can be conſtitutionally impoſed on them, but by their reſpective legiſlature.

VI. That all ſupplies to the crown being free gifts of the people, it is unreaſonable and inconſiſtent with the principles and ſpirit of the Britiſh conſtitution, for the people of Great-Britain to grant to his Majeſty the property of the coloniſts.

VII. That trial by jury, is the inherent and invaluable right of every Britiſh ſubject in theſe colonies.

VIII. That the late act of parliament, entitled, *An act for granting and applying certain ſtamp-duties, and other duties, in the Britiſh colonies and plantations in America, &c.* by impoſing taxes on the inhabitants of theſe colonies, and the ſaid act, and ſeveral other acts, by extending the juriſdiction of the courts of admiralty beyond its ancient limits, have a manifeſt tendency to ſubvert the rights and liberties of the coloniſts.

IX. That the duties impoſed by ſeveral late acts of parliament, from the peculiar

peculiar circumſtances of theſe colonies, will be extremely burthenſome and grievous; and from the ſcarcity of ſpecie, the payment of them abſolutely impracticable.

X. That as the profits of the trade of theſe colonies ultimately center in Great-Britain, to pay for the manufactures which they are obliged to take from thence, they eventually contribute very largely to all ſupplies granted there to the crown.

XI. That the reſtrictions impoſed by ſeveral late acts of parliament on the trade of theſe colonies, will render them unable to purchaſe the manufactures of Great-Britain.

XII. That the increaſe, proſperity and happineſs of theſe colonies, depend on the full and free enjoyments of their rights and liberties, and an intercourſe with Great-Britain mutually affectionate and advantageous.

XIII. That it is the right of the Britiſh ſubjects in theſe colonies to petition the king, or either houſe of parliament.

Laſtly, That it is the indiſpenſable duty of theſe colonies, to the beſt of ſovereigns, to the mother country, and to themſelves, to endeavour by a loyal and dutiful addreſs to his Majeſty, and humble applications to both houſes of parliament, to procure the repeal of the act for granting and applying certain ſtamp-du-

ties, of all clauſes of any other acts of parliament, whereby the juriſdiction of the admiralty is extended as aforeſaid, and of the other late acts for the reſtriction of American commerce.

Upon motion, voted, That Robert R. Livingſton, William Samuel Johnſon, and William Murdock, eſquires, be a committee to prepare an addreſs to his Majeſty, and lay the ſame before the congreſs on Monday next.

Voted alſo, That John Rutledge, Edward Tilghman, and Philip Livingſton, eſquires, be a committee to prepare a memorial and petition to the lords in parliament, and lay the ſame before the congreſs on Monday next.

Voted alſo, That Thomas Lynch, James Otis, and Thomas M'Kean, eſquires, be a committee to prepare a petition to the houſe of commons of Great-Britain, and lay the ſame before the congreſs on Monday next.

Then the congreſs adjourned to Monday next at twelve o'clock.

MONDAY, October 21, 1765, A. M.

The congreſs met according to adjournment.

The committee appointed to prepare and bring in an addreſs to his Majeſty, did report,

report, that they had eſſayed a draught for that purpoſe, which they laid on the table, and humbly ſubmitted to the correction of the congreſs.

The ſaid addreſs was read, and after ſundry amendments, the ſame was approved of by the congreſs, and ordered to be ingroſſed.

The committee appointed to prepare and bring in a memorial and petition to the lords in parliament, did report, That they had eſſayed a draught for that purpoſe, which they laid on the table, and humbly ſubmitted to the correction of the congreſs.

The ſaid addreſs was read, and after ſundry amendments, the ſame was approved of by the congreſs, and ordered to be ingroſſed.

The committee appointed to prepare and bring in a petition to the houſe of commons of Great-Britain did report, That they had eſſayed a draught for that purpoſe, which they laid on the table, and humbly ſubmitted to the correction of the congreſs.

The ſaid addreſs was read, and after ſundry amendments, the ſame was approved of by the congreſs, and ordered to be ingroſſed.

The congreſs adjourn to to-morrow morning, nine o'clock.

TUESDAY, October 22, 1765, A. M.

The congreſs met according to adjournment.

The addreſs to his Majeſty being ingroſſed, was read and compared, and is as follows, *viz.*

To the King's moſt Excellent MAJESTY.

The PETITION of the freeholders and other inhabitants of the Maſſachuſetts-Bay, Rhode-Iſland, and Providence plantations, , , New Jerſey, Pennſylvania, the government of the counties of New-Caſtle, Kent, and Suſſex, upon Delaware, province of Maryland, & South Carolina

Moſt humbly ſheweth,

THAT the inhabitants of theſe colonies, unanimouſly devoted with the warmeſt ſentiments of duty and affection to your Majeſty's ſacred perſon and government, inviolably attached to the preſent happy eſtabliſhment of the proteſtant ſucceſſion in your illuſtrious houſe, and deeply ſenſible of your royal attention to their proſperity and happineſs, humbly beg

beg leave to approach the throne, by repreſenting to your Majeſty, that theſe colonies were originally planted by ſubjects of the Britiſh crown, who, animated with the ſpirit of liberty, encouraged by your Majeſty's royal predeceſſors, and confiding in the public faith for the enjoyment of all the rights and liberties eſſential to freedom, emigrated from their native country to this continent, and by their ſucceſsful perſeverance in the midſt of innumerable dangers and difficulties, together with a profuſion of their blood and treaſure, have happily added theſe vaſt and valuable dominions to the empire of Great-Britain. That for the enjoyment of theſe rights and liberties, ſeveral governments were early formed in the ſaid colonies, with full power of legiſlation, agreable to the principles of the Engliſh conſtitution.

That under thoſe governments, theſe liberties, thus veſted in their anceſtors, and tranſmitted to their poſterity, have been exerciſed and enjoyed, and by the ineſtimable bleſſings thereof (under the favour of almighty God) the inhoſpitable deſarts of America have been converted into flouriſhing countries; ſcience, humanity, and the knowledge of divine truths, diffuſed through remote regions of ignorance,

rance, infidelity, and barbariſm; the number of Britiſh ſubjects wonderfully increaſed, and the wealth and power of Great-Britain proportionably augmented.

That by means of theſe ſettlements, and the unparallelled ſucceſs of your Majeſty's arms, a foundation is now laid for rendering the Britiſh empire the moſt extenſive and powerful of any recorded in hiſtory. Our connection with this empire, we eſteem our greateſt happineſs and ſecurity, and humbly conceive it may now be ſo eſtabliſhed by your royal wiſdom, as to endure to the lateſt period of time; this, with moſt humble ſubmiſſion to your Majeſty, we apprehend will be moſt effectually accompliſhed, by fixing the pillars thereof on liberty and juſtice, and ſecuring the inherent rights and liberties of your ſubjects here, upon the principles of the Engliſh conſtitution. To this conſtitution theſe two principles are eſſential, the right of your faithful ſubjects, freely to grant to your Majeſty, ſuch aids as are required for the ſupport of your government over them, and other public exigencies, and trials by their peers: by the one they are ſecured from unreaſonable impoſitions; and by the other from arbitrary deciſions of the executive power.

The continuation of theſe liberties to the inhabitants of America we ardently implore,

implore, as abſolutely neceſſary to unite the ſeveral parts of your wide extended dominions, in that harmony ſo eſſential to the preſervation and happineſs of the whole. Protected in theſe liberties, the emoluments Great-Britain receives from us, however great at preſent, are inconſiderable, compared with thoſe ſhe has the faireſt proſpect of acquiring. By this protection ſhe will for ever ſecure to herſelf the advantage of conveying to all Europe, the merchandiſes which America furniſhes, and of ſupplying through the ſame channel whatever is wanted from thence. Here opens a boundleſs ſource of wealth and naval ſtrength; yet theſe immenſe advantages, by the abridgment of thoſe invaluable rights and liberties, by which our growth has been nouriſhed, are in danger of being for ever loſt; and our ſubordinate legiſlatures, in effect, rendered uſeleſs, by the late acts of parliament impoſing duties and taxes on theſe colonies, and extending the juriſdiction of the courts of admiralty here, beyond its ancient limits: ſtatutes by which your Majeſty's commons in Britain undertake abſolutely to diſpoſe of the property of their fellow ſubjects in America, without their conſent, and for the enforcing whereof, they are ſubjected to the determination of a ſingle judge in a court unreſtrained by the wiſe rules

rules of the common law, the birthright of Engliſhmen, and the ſafeguard of their perſons and properties.

The invaluable rights of taxing ourſelves, and trial by our peers, of which we implore your Majeſty's protection, are not, we moſt humbly conceive unconſtitutional; but confirmed by the great CHARTER of Engliſh liberty. On the firſt of theſe rights the honourable the houſe of commons found their practice of originating money bills, a right enjoyed by the kingdom of Ireland, by the clergy of England, until relinquiſhed by themſelves, a right, in fine, which all other your Majeſty's Engliſh ſubjects, both within and without the realm, have hitherto enjoyed.

With hearts, therefore, impreſſed with the moſt indelible characters of gratitude to your Majeſty, and to the memory of the kings of your illuſtrious houſe, whoſe reigns have been ſignally diſtinguiſhed by their auſpicious influence on the proſperity of the Britiſh dominions, and convinced by the moſt affecting proofs of your Majeſty's paternal love to all your people, however diſtant, and your unceaſing and benevolent deſires to promote their happineſs, we moſt humbly beſeech your Majeſty, that you will be graciouſly pleaſed

to

to take into your royal conſideration the diſtreſſes of your faithful ſubjects on this continent, and to lay the ſame before your Majeſty's parliament, and to afford them ſuch relief, as in your royal wiſdom their unhappy circumſtances ſhall be judged to require.

And your petitioners as in duty bound will pray.

The memorial to the lords in parliament was read and compared, and is as follows, viz.

To the right honourable the lords ſpiritual and temporal of Great-Britain, in parliament aſſembled.

The MEMORIAL of the freeholders and others inhabitants of the Maſſachuſett's-Bay, Rhode-Iſland, and Providence plantations, , , New Jerſey, Pennſylvania, the government of the counties of Newcaſtle, Kent, and Suſſex, upon Delaware, province of Maryland,

Moſt humbly ſheweth,

THAT his Majeſty's liege ſubjects in his American colonies, though they acknowledge a due ſubordination to that auguſt body the Britiſh parliament, are entitled, in the opinion of your memorialiſts, to all the inherent rights and liberties of the natives of Great-Britain, and have ever ſince the Settlement of the ſaid colonies exerciſed thoſe rights and liberties, as far as their local circumſtances would permit.

That your memoraliſts humbly conceive one of the moſt eſſential rights of theſe colonies, which they have ever, till lately, uninterruptedly injoyed, to be trial by jury.

That your memorialiſts alſo humbly conceive another of theſe eſſential rights to be, the exemption from all taxes, but ſuch as are impoſed on the people by the ſeveral legiſlatures in theſe colonies, which right alſo they have, till of late, freely enjoyed.

But your memoraliſts humbly beg leave to repreſent to your lordſhips, that the act for granting certain ſtamp-duties in the Britiſh colonies in America, &c. fills his Majeſty's American ſubjects with the deepeſt

deepeſt concern, as it tends to deprive them of the two fundamental and invaluable rights and liberties above-mentioned, and that ſeveral other late acts of parliament, which extend the juriſdiction and powers of courts of admiralty in the plantations, beyond their limits in Great-Britain, thereby make an unneceſſary and unhappy diſtinction as to the modes of trial, between us and our fellow ſubjects there, by whom we never have been excelled in duty and loyalty to our Sovereign.

That from the natural connection between Great-Britain and America, the perpetual continuance of which your memorialiſts moſt ardently deſire, they conceive that nothing can conduce more to the intereſt of both, than the coloniſts free enjoyment of their rights and liberties, and an affectionate intercourſe between Great-Britain and them. But your memorialiſts (not waving their claim to theſe rights, of which with the moſt becoming veneration and deference to the wiſdom and juſtice of your lordſhips, they apprehend they cannot reaſonably be deprived) humbly repreſent, That from the peculiar circumſtances of theſe colonies, the duties impoſed by the aforeſaid act, and ſeveral other late acts of parliament, are extremely grievous and burthenſome,

and the payment of the ſaid duties will very ſoon, for want of ſpecie, become abſolutely impracticable; and that the reſtrictions on trade, by the ſaid acts, will not only greatly diſtreſs the colonies, but muſt be extremely detrimental to the trade and true intereſt of Great-Britain.

Your memorialiſts, therefore, impreſſed with a juſt ſenſe of the unfortunate circumſtances of the colonies, and the impending deſtructive conſequences which muſt neceſſarily enſue from the execution of thoſe acts, animated with the warmeſt ſentiments of filial affection for their mother country, moſt earneſtly and humbly entreat, That your lordſhips will be pleaſed to hear their counſel in ſupport of this memorial, and take the premiſſes into your moſt ſerious conſideration, and that your lordſhips will alſo be thereupon pleaſed to purſue ſuch meaſures for reſtoring the juſt rights and liberties of the colonies, and preſerving them for ever inviolate, for redreſſing their preſent, and preventing future grievances, thereby promoting the united intereſt of Great-Britain and America, as to your lordſhips, in your great wiſdom ſhall ſeem moſt conducive and effectual to that important end.

And your memorialiſts as in duty bound will ever pray.

WEDNES-

WEDNESDAY, October 23, 1765, A. M.

The congreſs met according to adjournment.

The petition to the houſe of commons being ingroſſed, was read and compared, and is as follows, *viz.*

To the honourable the knights, citizens, and burgeſſes of Great-Britain, in parliament aſſembled.

The PETITION of his Majeſty's dutiful and loyal ſubjects, the freeholders and other inhabitants of the colonies of the Maſſachuſetts-bay, Rhode-iſland, and Providence plantations, , , New Jerſey, Pennſylvania, the government of the counties of Newcaſtle, Kent, and Suſſex, upon Delaware, Maryland,

Moſt humbly ſheweth,

THAT the ſeveral late acts of parliament, impoſing divers duties and taxes on the colonies, and laying the trade and commerce thereof under very burthenſome reſtrictions, but above all the act for granting and applying certain ſtamp-duties, &c. in America, have fill'd them

them with the deepeſt concern and ſurprize; and they humbly conceive the execution of them will be attended with conſequences very injurious to the commercial intereſt of Great-Britain and her colonies, and muſt terminate in the eventual ruin of the latter.

Your petitioners therefore moſt ardently implore the attention of the honourable houſe, to the united and dutiful repreſentation of their circumſtances, and to their earneſt ſupplications for relief, from thoſe regulations which have already involved this continent in anxiety, confuſion, and diſtreſs.

We moſt ſincerely recognize our allegiance to the crown, and acknowledge all due ſubordination to the parliament of Great-Britain, and ſhall always retain the moſt grateful ſenſe of their aſſiſtance and protection. It is from and under the Engliſh conſtitution, we derive all our civil and religious rights and liberties: we glory in being ſubjects of the beſt of kings, and having been born under the moſt perfect form of government; but it is with moſt ineffable and humiliating ſorrow, that we find ourſelves, of late, deprived of the right of granting our own property for his Majeſty's ſervice, to which our lives and fortunes are entirely devoted, and

to

to which, on his royal requiſitions, we have ever been ready to contribute to the utmoſt of our abilities.

We have alſo the misfortune to find, that all the penalties and forfeitures mentioned in the ſtamp-act, and in divers late acts of trade extending to the plantations, are, at the election of the informer, recoverable in any court of admiralty in America. This, as the newly erected court of admiralty has a general juriſdiction over all Britiſh America, renders his Majeſty's ſubjects in theſe colonies, liable to be carried, at an immenſe expence, from one end of the continent to the other.

It gives us alſo great pain to ſee a manifeſt diſtinction made therein, between the ſubjects of our mother country, and thoſe in the colonies, in that the like penalties and forfeitures recoverable there only in his Majeſty's court of record, are made cognizable here by a court of admiralty: by theſe means we ſeem to be, in effect, unhappily deprived of two privileges eſſential to freedom, and which all Engliſhmen have ever conſidered as their beſt birthrights, that of being free from all taxes but ſuch as they have conſented to in perſon, or by their repreſentatives, and of trial by their peers.

Your

Your petitioners further ſhew, That the remote ſituation, and other circumſtances of the colonies, render it impracticable that they ſhould be repreſented, but in their reſpective ſubordinate legiſlature; and they humbly conceive, that the parliament, adhering ſtrictly to the principles of the conſtitution, have never hitherto taxed any but thoſe who were actually therein repreſented; for this reaſon, we humbly apprehend, they never have taxed Ireland, or any other of the ſubjects without the realm.

But were it ever ſo clear, that the colonies might in law be reaſonably deem'd to be repreſented in the honourable houſe of commons, yet we conceive, that very good reaſons, from inconvenience, from the principles of true policy, and from the ſpirit of the Britiſh conſtitution, may be adduced to ſhew, that it would be for the real intereſt of Great-Britain, as well as her colonies, that the late regulations ſhould be reſcinded, and the ſeveral acts of parliament impoſing duties and taxes on the colonies, and extending the juriſdiction of the courts of admiralty here, beyond their ancient limits, ſhould be repeal'd.

We ſhall not attempt a minute detail of all the reaſons which the wiſdom of the honour-

honourable houſe may ſuggeſt, on this occaſion, but would humbly ſubmit the following particulars to their conſideration.

That money is already become very ſcarce in theſe colonies, and is ſtill decreaſing by the neceſſary exportation of ſpecie from the continent, for the diſcharge of our debts to Britiſh merchants.

That an immenſely heavy debt is yet due from the colonies for Britiſh manufactures, and that they are ſtill heavily burthen'd with taxes to diſcharge the arrearages due for aids granted by them in the late war.

That the balance of trade will ever be much againſt the colonies, and in favour of Great-Britain, whilſt we conſume her manufactures, the demand for which muſt ever increaſe in proportion to the number of inhabitants ſettled here, with the means of purchaſing them. We therefore humbly conceive it to be the intereſt of Great-Britain, to increaſe, rather than diminiſh, thoſe means, as the profits of all the trade of the colonies ultimately center there to pay for her manufactures, as we are not allowed to purchaſe elſewhere; and by the conſumption of which, at the advanced prices the Britiſh taxes oblige the makers and venders

to ſet on them, we eventually contribute very largely to the revenue of the crown.

That from the nature of American buſineſs, the multiplicity of ſuits and papers uſed in matters of ſmall value, in a country where freeholds are ſo minutely divided, and property ſo frequently transferr'd, a ſtamp-duty muſt ever be very burthenſome and unequal.

That it is extremely improbable that the honourable houſe of commons ſhould, at all times, be thoroughly acquainted with our condition, and all facts requiſite to a juſt and equal taxation of the colonies.

It is alſo humbly ſubmitted, Whether there be not a material diſtinction in reaſon and ſound policy, at leaſt, between the neceſſary exerciſe of parliamentary juriſdiction in general acts, for the amendment of the common law, and the regulation of trade and commerce through the whole empire, and the exerciſe of that juriſdiction, by impoſing taxes on the colonies.

That the ſeveral ſubordinate provincial legiſlatures have been moulded into forms, as nearly reſembling that of their mother country, as by his Majeſty's royal predeceſſors was thought convenient; and their legiſlatures ſeem to have been wiſely and graciouſly eſtabliſhed, that the ſubjects in the

the colonies might, under the due adminiſtration thereof, enjoy the happy fruits of the Britiſh government, which in their preſent circumſtances they cannot be ſo fully and clearly availed of, any other way under theſe forms of government we and our anceſtors have been born or ſettled, and have had our lives, liberties and properties protected. The people here, as every where elſe, retain a great fondneſs for their old cuſtoms and uſages, and we truſt that his Majeſty's ſervice, and the intereſt of the nation, ſo far from being obſtructed, have been vaſtly promoted by the provincial legiſlatures.

That we eſteem our connections with, and dependance on Great-Britain, as one of our greateſt bleſſings, and apprehend the latter will appear to be ſufficiently ſecure, when it is conſidered, that the inhabitants in the colonies have the moſt unbounded affection for his Majeſty's perſon, family and government, as well as for the mother country, and that their ſubordination to the parliament, is univerſally acknowledged.

We, therefore, moſt humbly entreat, That the honourable houſe would be pleaſed to hear our counſel in ſupport of this petition, and take our diſtreſſed and deplorable caſe into their ſerious conſider-

ation, and that the acts and clauſes of acts, ſo grievouſly reſtraining our trade and commerce, impoſing duties and taxes on our property, and extending the juriſdiction of the court of admiralty beyond its ancient limits, may be repeal'd; or that the honourable houſe would otherwiſe relieve your petitioners, as in your great wiſdom and goodneſs ſhall ſeem meet.

And your petitioners as in duty bound ſhall ever pray.

Then the congreſs adjourned till tomorrow morning, ten o'clock.

THURSDAY, October 24, 1765.

The congreſs met according to adjournment.

The congreſs took into conſideration the manner in which their ſeveral petitions ſhould be preferred and ſolicited in Great-Britain, and came to the following determination, viz.

It is recommended by the congreſs, to the ſeveral colonies, to appoint ſpecial agents for ſoliciting relief from their great grievances, and unite their utmoſt intereſt and endeavours for that purpoſe.

Voted

Voted unanimouſly, That the clerk of this congreſs ſign the minutes of their proceedings, and deliver a copy for the uſe of each colony and province.

By order of the congreſs,

JOHN COTTON, Clerk.

Savannah, in Georgia, September 6, 1765.

SIR,

(COPY.) YOUR letter dated in June laſt, acquainting me, that the houſe of repreſentatives of your province, had unanimouſly agreed to propoſe a meeting at the city of New-York, of committees, from the houſes of repreſentatives of the ſeveral Britiſh colonies on this continent, on the firſt Tueſday in October next, to conſult together on the preſent circumſtances of the colonies, and the difficulties to which they are, and muſt be reduced, by the operation of the acts of parliament for laying duties and taxes on the colonies, and to conſider of an humble repreſentation of their condition to his Majeſty and the parliament, and to implore relief, came to hand at an unlucky ſeaſon, it being in the receſs of the

the general aſſemby of this province; nevertheleſs, immediately upon the receipt of your letter, I diſpatched expreſſes to the ſeveral repreſentatives of this province, acquainting them with the purport thereof, and requeſting them to meet at this place without delay, and accordingly they met here on Monday laſt, to the number of ſixteen, being a large majority of the repreſentatives of this province, the whole conſiſting of twenty-five perſons; but his excellency our governor being applied to, did not think it expedient to call them together on the occaſion, which is the reaſon of their not ſending a committee, as propoſed by your houſe, for you may be aſſured, Sir, that no repreſentatives on this continent can more ſincerely concur in the meaſures propoſed, than do the repreſentatives of this province now met together, neither can any people, as individuals, more warmly eſpouſe the common cauſe of the colonies, than do the people of this province.

The gentlemen now preſent, requeſt it as a favour, you'll be pleaſed to ſend me a copy of ſuch repreſentation as may be agreed upon by the ſeveral committees at New-York, and to acquaint me how, and in what manner, the ſame is to be lain before the king and parliament, whether

by

by any perſon particularly authorized for that purpoſe, or by the colony agents. The general aſſembly of this province ſtands prorogued to the 22d day of October next, which is the time it generally meets for the diſpatch of the ordinary buſineſs of the province; and I doubt not the repreſentatives of this province will then, in their legiſlative capacity, take under conſideration the grievances ſo juſtly complained of, and tranſmit their ſenſe of the ſame to Great-Britain, in ſuch way as may ſeem beſt calculated to obtain redreſs, and ſo as to convince the ſiſter colonies of their inviolable attachment to the common cauſe. I am, SIR,

Your moſt obedient,
And moſt humble ſervant,
ALEXANDER WILLY.

To SAMUEL WHITE, Eſq; Speaker of the Houſe of Repreſentatives of Maſſachuſetts, &c.

New-Hampſhire.

Mr. Speaker laid before the houſe a letter from the honourable Speaker of the honourable houſe of repreſentatives of the province of the Maſſachuſetts-bay, to the Speaker of this aſſembly, propoſing a meeting of committees, from the ſeveral aſſemblies of the Britiſh colonies on the continent,

continent, at New-York, to conſider of a general, united, dutiful, loyal, and humble repreſentation of our circumſtances, and for imploring his Majeſty and the parliament for relief: which being read,

Reſolved, That notwithſtanding we are ſenſible ſuch repreſentation ought to be made, and approve of the propoſed method for obtaining thereof, yet the preſent ſituation of our governmental affairs will not permit us to appoint a committee to attend ſuch meeting, but ſhall be ready to join in any addreſs to his Majeſty and the parliament we may be honoured with the knowledge of, probable to anſwer the propoſed end.

A. CLARKSON, Clerk.

The two foregoing letters are true copies from the original.

Atteſt. JOHN COTTON, Clerk.

Adjourned to to-morrow morning nine o'clock.

FRIDAY, October 25, 1765.

The congreſs met according to adjournment.

Time not permitting the clerk to make copies at large, of the proceedings of the congreſs,

congreſs, for all the colonies, they think it proper, ſhould be furniſhed therewith;

Reſolved, That the gentlemen from the Maſſachuſetts-bay be requeſted to ſend a copy thereof to the colony of New Hampſhire; the gentlemen of Maryland to Virginia; and the gentlemen of South Carolina to Georgia, and North Carolina.

Signed per order,

J. COTTON, Clerk.

An account of the diſpoſition of the £.500 granted by ordinance, and received of the treaſurer, by William Murdock, Edward Tilghman, and Thomas Ringgold.

	£.	s.	d.
To caſh paid the whole expences of the committee to New York, there and backa gain.	138	14	1
To caſh paid expreſs to New York, to give notice of our coming.	15		
To paid for expreſs, to ſend a copy of our proceedings to the Speaker of Virginia.	1	10	
To paid for a bill of exchange, to remit to Charles Garth, Eſq; with the addreſs and petitions 150*l.* ſterling, at 65 per cent. exchange. - -	247	10	
Caſh remaining in hand 127 piſtoles, and 18/8.	172	7	8
	575	1	9

By caſh received of the Treaſurer in gold, £.500, at 5/6 per dwt. as follows:

	£.	s.	d.
409 Spaniſh piſtoles, at 27/.	532	3	
5 Half Johannes, at 57/6.	14	7	6
4 French piſtoles, at 26/6.	5	6	
1 Moidore, - - -	2	3	6
1 Half ditto, - - -	1	1	9
	575	1	9

To Charles Garth

October 26, 1765.

SIR,

WE had the honour to be appointed by the houſe of repreſentatives of the province of Maryland, a committee, to meet committees of the members of aſſembly of the other colonies on this continent, at New York, the firſt of this inſtant, to join in a general, and united, dutiful, loyal, and humble repreſentation of the condition of thoſe colonies, to his Majeſty and the parliament, and to implore relief from the grievous burthens lately laid upon our trade, and the taxes and duties lately impoſed on us, eſpecially by the Stamp-act.

Accordingly members from nine colonies met, to wit, from the Maſſachuſetts-bay, Connecticut, Rhode-iſland and Providence plantations, New-York, New-Jerſey, Pennſylvania, the government of the counties of Newcaſtle, Kent and Suſſex, upon Delaware, Maryland, and South Carolina, but as you'll find the addreſs, &c. ſigned only by members from ſix of thoſe colonies, it may be proper to acquaint you with the reaſons why they did not all ſign, though they all concurred with the proceedings.

The

The lieutenant-governor of New-York prorogued their aſſembly from time to time, ſo that their houſe had not an opportunity of appointing members with full powers to join, and ſign the addreſs, &c. Yet the aſſembly of New-York having, at their laſt meeting, appointed five of their members as a committee, not only to correſpond with their agent at home, but alſo during the receſs of the houſe, to write to and correſpond with the ſeveral aſſemblies, or committees of aſſemblies on this continent, on the ſubject matter of the ſeveral late acts of parliament, ſo grievous and dangerous to their colonies, it was thought proper to admit this committee to join in the conferences, and they agreed to what was done, and promiſed to uſe their endeavours with their aſſembly to concur alſo whenever they ſhould be permited to meet.

The South-Carolina aſſembly, not rightly viewing the propoſal (which originally came from the aſſembly of the government of the Maſſachuſetts-bay) as it was intended that the ſeveral committees, when met, ſhould frame and ſign an addreſs to his Majeſty, and memorial and petition to the parliament, to be immediately diſpatched by the congreſs, inſtructed their members (Meſſrs. Lynch,

Rutledge, and Gadſden) to return their proceedings to them for approbation. The Connecticut aſſembly made the ſame reſtrictions in their inſtructions. The aſſembly alſo of New Hampſhire wrote, that they had reſolved, That notwithſtanding they were ſenſible ſuch a repreſentation ought to be made, and approved of the propoſed method for obtaining thereof, yet the preſent ſituation of their governmental affairs would not permit them to appoint a committee to attend ſuch meeting, but ſhould be ready to join in any addreſs to his Majeſty and the parliament they might be honoured with the knowledge of, probable to anſwer the propoſed end: and the Speaker of the aſſembly of Georgia wrote, that a majority of their members had applied to the governor to call their aſſembly, and he did not think it expedient, which was the reaſon they did not ſend a committee as propoſed, but requeſted us to tranſmit a copy of our proceedings to them (which will be done) and that their aſſembly would meet about this time, and he did not doubt but they ſhould act ſo as to convince the ſiſter colonies of their inviolable attachment to the common cauſe: we alſo underſtood the North-Carolina, and we know the Virginia aſſembly was prorogued, whereby they could

could not have the opportunity of joining us; ſo that we doubt not but the colonies who have not ſigned, will very ſpeedily tranſmit ſimilar addreſſes, &c. if their aſſemblies ſhould not be hindered from meeting: and to this purpoſe, we hope you'll ſoon hear from the aſſembly of South-Carolina. By the gentlemen of that colony we were favoured with a ſight of your late letters, and informed of your careful and ſpirited conduct with regard to the intereſts of that colony, and that, together with your declaration which we find in thoſe letters, that you enjoy an independent ſeat in the Britiſh parliament, induced us (as we have no eſtabliſhed agent at preſent, for this province, nor have yet been able to obtain a law to tax ourſelves for that purpoſe) to trouble you with our requeſt, that you will preſent the incloſed addreſs to his Majeſty, and memorial and petition to the houſes of parliament, and exert your utmoſt intereſt and abilities in behalf of this poor diſtreſſed country, and of this province in particular.

We hope, as there is a change in the miniſtry, and as the gentlemen in the houſe of commons may, at their next meeting, take a more enlarged view of the true intereſt of Great-Britain and her colonies, they will find it to be in ſupporting

porting the rights and encouraging the trade of the latter, and that the happineſs of the mother-country and her colonies muſt be inſeparable, and that we ſhall obtain relief.

The ſeveral committees agreed to recommend it to their reſpective colonies, to appoint ſpecial agents on this occaſion, and to inſtruct them to unite their utmoſt intereſt and endeavours for that purpoſe. One addreſs, &c. was tranſmited by the gentlemen of the Maſſachuſetts government, immediately to their agent (Mr. Jackſon we underſtood) and we expect the other colonies will have duplicates ſent to their agents, and we hope will all unite in expence and inſtructions, to have able counſel before both the lords and commons, as our petitions pray.

We were intruſted with the diſpoſition of ſome money upon this occaſion, and incloſe you a bill of exchange, on Meſſrs. Capel and Oſgood Hanbury, for one hundred and fifty pounds ſterling, as a compenſation for your trouble and expence in this affair. We doubt not our aſſembly will approve of what we do in this matter; and as they are to meet the laſt of this month, we ſhall lay our proceedings before them, and it is probable they will write you more fully, and furniſh

niſh you with ſuch further inſtructions and arguments as may appear to them to be proper to be given and urged on this occaſion, in behalf of the colonies.

We are,

Your moſt obedient ſervants.

FINIS.

THE EXAMINATION OF *Doctor* Benjamin Franklin,

Relative to the

REPEAL OF THE *AMERICAN* STAMP ACT,

In MDCCLXVI.

MDCCLXVII.

[Price One Shilling.]

THE EXAMINATION OF Doctor BENJAMIN FRANKLIN, &c.

Q. WHAT is your name, and place of abode?

A. Franklin, of Philadelphia.

Q. Do the Americans pay any conſiderable taxes among themſelves?

A. Certainly many, and very heavy taxes.

Q. What are the preſent taxes in Pennſylvania, laid by the laws of the colony?

A. There are taxes on all eſtates real and perſonal, a poll tax, a tax on all offices, profeſſions, trades and buſineſſes, according to their profits; an exciſe on all wine, rum, and other ſpirits; and a duty of Ten Pounds per head on all Negroes imported, with ſome other duties.

Q. For what purpoſes are thoſe taxes laid?

A. For the ſupport of the civil and military eſtabliſhments of the country, and to diſcharge the heavy debt contracted in the laſt war.

Q. How long are thoſe taxes to continue?

A. Thoſe for diſcharging the debt are to continue till 1772, and longer, if the debt ſhould not be then all diſcharged. The others muſt always continue.

Q. Was it not expected that the debt would have been ſooner diſcharged?

A. It was, when the peace was made with France and Spain—But a freſh war breaking out with the Indians, a freſh load of debt was incurred, and the taxes, of courſe, continued longer by a new law.

Q. Are not all the people very able to pay thoſe taxes?

A. No. The frontier counties, all along the continent, having been frequently ravaged by the enemy, and greatly impoveriſhed, are able to pay very little tax. And therefore, in conſideration of their diſtreſſes, our late tax laws do expreſsly favour thoſe counties, excuſing the ſufferers; and I ſuppoſe the ſame is done in other governments.

Q. Are not you concerned in the management of the Poſt-Office in America?

A. Yes. I am Deputy Poſt-Maſter General of North-America.

Q. Don't

Q. Don't you think the diſtribution of ſtamps, by poſt, to all the inhabitants, very practicable, if there was no oppoſition?

A. The poſts only go along the ſea-coaſts; they do not, except in a few inſtances, go back into the country; and if they did, ſending for ſtamps by poſt would occaſion an expence of poſtage, amounting, in many caſes, to much more than that of the ſtamps themſelves.

Q. Are you acquainted with Newfoundland?

A. I never was there.

Q. Do you know whether there are any poſt-roads on that iſland?

A. I have heard that there are no roads at all; but that the communication between one ſettlement and another is by ſea only.

Q. Can you diſperſe the ſtamps by poſt in Canada?

A. There is only a poſt between Montreal and Quebec. The inhabitants live ſo ſcattered and remote from each other, in that vaſt country, that poſts cannot be ſupported among them, and therefore they cannot get ſtamps per poſt. The Engliſh Colonies too, along the frontiers, are very thinly ſettled.

Q. From the thinneſs of the back ſettlements, would not the ſtamp-act be extremely inconvenient to the inhabitants, if executed?

A. To be ſure it would; as many of the inhabitants could not get ſtamps when they had occaſion for them, without taking long journeys, and ſpending perhaps Three or Four Pounds, that the Crown might get Sixpence.

Q. Are not the Colonies, from their circumſtances, very able to pay the ſtamp duty.

A. In my opinion, there is not gold and ſilver enough in the Colonies to pay the ſtamp duty for one year.

Q. Don't you know that the money ariſing from the ſtamps was all to be laid out in America?

A. I know it is appropriated by the act to the American ſervice; but it will be ſpent in the conquered Colonies, where the ſoldiers are, not in the Colonies that pay it.

Q. Is there not a balance of trade due from the Colonies where the troops are poſted, that will bring back the money to the old colonies?

A. I think not. I believe very little would come back. I know of no trade likely to bring it back. I think it would come from the Colonies where it was

ſpent

ſpent directly to England; for I have always obſerved, that in every Colony the more plenty the means of remittance to England, the more goods are ſent for, and the more trade with England carried on.

Q. What number of white inhabitants do you think there are in Pennſylvania?

A. I ſuppoſe there may be about 160,000.

Q. What number of them are Quakers?

A. Perhaps a third.

Q. What number of Germans?

A. Perhaps another third; but I cannot ſpeak with certainty.

Q. Have any number of the Germans ſeen ſervice, as ſoldiers, in Europe?

A. Yes,—many of them, both in Europe and America.

Q. Are they as much diſſatisfied with the ſtamp-duty as the Engliſh?

A. Yes, and more; and with reaſon, as their ſtamps are, in many caſes, to be double.

Q. How many white men do you ſuppoſe there are in North-America?

A. About 300,000, from ſixteen to ſixty years of age.

Q. What may be the amount of one year's imports into Pennſylvania from Britain?

A. I have been informed that our merchants

chants compute the imports from Britain to be above 500,000 Pounds.

Q. What may be the amount of the produce of your province exported to Britain?

A. It muſt be ſmall, as we produce little that is wanted in Britain. I ſuppoſe it cannot exceed 40,000 Pounds.

Q. How then do you pay the balance?

A. The balance is paid by our produce carried to the Weſt-Indies, and ſold in our own iſlands, or to the French, Spaniards, Danes and Dutch; by the ſame carried to other colonies in North-America, as to New-England, Nova-Scotia, Newfoundland, Carolina and Georgia; by the ſame carried to different parts of Europe, as Spain, Portugal and Italy. In all which places we receive either money, bills of Exchange, or commodities that ſuit for remittance to Britain; which, together with all the profits on the induſtry of our merchants and mariners, ariſing in thoſe circuitous voyages, and the freights made by their ſhips, center finally in Britain to diſcharge the balance, and pay for Britiſh manfactures continually uſed in the province, or ſold to foreigners by our traders.

Q. Have you heard of any difficulties lately laid on the Spaniſh trade?

A. Yes,

A. Yes, I have heard that it has been greatly obſtructed by ſome new regulations, and by the Engliſh men of war and cutters ſtationed all along the coaſt in America.

Q. Do you think it right that America ſhould be protected by this country, and pay no part of the expence?

A. That is not the caſe. The Colonies raiſed, cloathed and payed, during the laſt war, near 25000 men, and ſpent many millions.

Q. Were you not reimburſed by parliament?

A. We were only reimburſed what, in your opinion, we had advanced beyond our proportion, or beyond what might reaſonably be expected from us; and it was a very ſmall part of what we ſpent. Pennſylvania, in particular, diſburſed about 500,000 Pounds, and the reimburſements, in the whole, did not exceed 60,000 Pounds.

Q. You have ſaid that you pay heavy taxes in Pennſylvania; what do they amount to in the Pound?

A. The tax on all eſtates, real and perſonal, is Eighteen Pence in the Pound, fully rated; and the tax on the profits of trades and profeſſions, with other taxes, do, I ſuppoſe, make full Half a Crown in the Pound.

Q. Do

Q. Do you know any thing of the rate of exchange in Pennſylvania, and whether it has fallen lately?

A. It is commonly from 170 to 175. I have heard that it has fallen lately from 175 to 162 and a half, owing, I ſuppoſe, to their leſſening their orders for goods; and when their debts to this country are paid, I think the exchange will probably be at par.

Q. Do not you think the people of America would ſubmit to pay the ſtamp-duty, if it was moderated?

A. No, never, unleſs compelled by force of arms.

Q. Are not the taxes in Pennſylvania laid on unequally, in order to burthen the Engliſh trade, particularly the tax on profeſſions and buſineſs?

A. It is not more burthenſome in proportion than the tax on lands. It is intended, and ſuppoſed to take an equal proportion of profits.

Q. How is the aſſembly compoſed? Of what kinds of people are the members, landholders or traders?

A. It is compoſed of landholders, merchants and artificers.

Q. Are not the majority landholders?

A. I believe they are.

Q. Do not they, as much as poſſible, ſhift

ſhift the tax off from the land, to eaſe that, and lay the burthen heavier on trade?

A. I have never underſtood it ſo. I never heard ſuch a thing ſuggeſted. And indeed an attempt of that kind could anſwer no purpoſe. The merchant or trader is always ſkilled in figures, and ready with his pen and ink. If unequal burthens are laid on his trade, he puts an additional price on his goods; and the conſumers, who are chiefly landholders, finally pay the greateſt part, if not the whole.

Q. What was the temper of America towards Great-Britain before the year 1763?

A. The beſt in the world. They ſubmitted willingly to the government of the Crown, and paid, in all their courts, obedience to acts of parliament. Numerous as the people are in the ſeveral old provinces, they coſt you nothing in forts, citadels, garriſons or armies, to keep them in ſubjection. They were governed by this country at the expence only of a little pen, ink and paper. They were led by a thread. They had not only a reſpect, but an affection, for Great-Britain, for its laws, its cuſtoms and manners, and even a fondneſs for its faſhions, that greatly increaſed the commerce. Natives

of Britain were always treated with particular regard; to be an Old England-man was, of itſelf, a character of ſome reſpect, and gave a kind of rank among us.

Q. And what is their temper now.

A. O, very much altered.

Q. Did you ever hear the authority of parliament to make laws for America queſtioned till lately?

A. The authority of parliament was allowed to be valid in all laws, except ſuch as ſhould lay internal taxes. It was never diſputed in laying duties to regulate commerce.

Q. In what proportion hath population increaſed in America?

A. I think the inhabitants of all the provinces together, taken at a medium, double in about 25 years. But their demand for Britiſh manufactures increaſes much faſter, as the conſumption is not merely in proportion to their numbers, but grows with the growing abilities of the ſame numbers to pay for them. In 1723, the whole importation from Britain to Pennſylvania, was but about 15,000 Pounds Sterling; it is now near Half a Million.

Q. In what light did the people of America uſe to conſider the parliament of Great-Britain?

A. They

A. They conſidered the parliament as the great bulwark and ſecurity of their liberties and privileges, and always ſpoke of it with the utmoſt reſpect and veneration. Arbitrary miniſters, they thought, might poſſibly, at times, attempt to oppreſs them; but they relied on it, that the parliament, on application, would always give redreſs. They remembered, with gratitude, a ſtrong inſtance of this, when a bill was brought into parliament, with a clauſe, to make royal inſtructions laws in the Colonies, which the Houſe of Commons would not paſs, and it was thrown out.

Q. And have they not ſtill the ſame reſpect for parliament?

A. No; it is greatly leſſened.

Q. To what cauſes is that owing?

A. To a concurrence of cauſes; the reſtraints lately laid on their trade, by which the bringing of foreign gold and ſilver into the Colonies was prevented; the prohibition of making paper money among themſelves; and then demanding a new and heavy tax by ſtamps; taking away, at the ſame time, trials by juries, and refuſing to receive and hear their humble petitions.

Q. Don't you think they would ſubmit to the ſtamp-act, if it was modified, the

obnoxious parts taken out, and the duty reduced to ſome particulars, of ſmall moment?

A. No; they will never ſubmit to it.

Q. What do you think is the reaſon that the people of America increaſe faſter than in England?

A. Becauſe they marry younger, and more generally.

Q. Why ſo?

A. Becauſe any young couple that are induſtrious, may eaſily obtain land of their own, on which they can raiſe a family.

Q. Are not the lower rank of people more at their eaſe in America than in England?

A. They may be ſo, if they are ſober and diligent, as they are better paid for their labour.

Q. What is your opinion of a future tax, impoſed on the ſame principle with that of the ſtamp-act; how would the Americans receive it?

A. Juſt as they do this. They would not pay it.

Q. Have not you heard of the reſolutions of this Houſe, and of the Houſe of Lords, aſſerting the right of parliament relating to America, including a power to tax the people there?

A. Yes, I have heard of ſuch reſolutions.

Q. What

Q. What will be the opinion of the Americans on thoſe reſolutions?

A. They will think them unconſtitutional and unjuſt.

Q. Was it an opinion in America before 1763, that the parliament had no right to lay taxes and duties there?

A. I never heard any objection to the right of laying duties to regulate commerce; but a right to lay internal taxes was never ſuppoſed to be in parliament, as we are not repreſented there.

Q. On what do you found your opinion, that the people in America made any ſuch diſtinction?

A. I know that whenever the ſubject has occurred in converſation where I have been preſent, it has appeared to be the opinion of every one, that we could not be taxed in a parliament where we were not repreſented. But the payment of duties laid by act of parliament, as regulations of commerce was never diſputed.

Q. But can you name any act of aſſembly, or public act of any of your governments, that made ſuch diſtinction?

A. I do not know that there was any; I think there was never an occaſion to make any ſuch act, till now that you have attempted to tax us; that has occaſioned reſolutions of aſſembly, declaring the diſtinction,

tinction, in which I think every aſſembly on the continent, and every member in every aſſembly, have been unanimous.

Q. What then could occaſion converſations on that ſubject before that time.

A. There was in 1754 a propoſition made (I think it came from hence) that in caſe of a war, which was then apprehended, the governors of the Colonies ſhould meet, and order the levying of troops, building of forts, and taking every other neceſſary meaſure for the general defence; and ſhould draw on the treaſury here for the ſums expended, which were afterwards to be raiſed in the Colonies by a general tax, to be laid on them by act of parliament. This occaſioned a good deal of converſation on the ſubject, and the general opinion was, that the parliament neither would nor could lay any tax on us, till we were duly repreſented in parliament, becauſe it was not juſt, nor agreeable to the nature of an Engliſh conſtitution.

Q. Don't you know there was a time in New-York, when it was under conſideration to make an application to parliament to lay taxes on that Colony, upon a deficiency ariſing from the aſſembly's refuſing or neglecting to raiſe the neceſſary ſupplies for the ſupport of the civil government?

A. I never heard of it.

Q. There was ſuch an application under conſideration in New-York; and do you apprehend they could ſuppoſe the right of parliament to lay a tax in America was only local, and confined to the caſe of a deficiency in a particular Colony, by a refuſal of its aſſembly to raiſe the neceſſary ſupplies?

A. They could not ſuppoſe ſuch a caſe, as that the aſſembly would not raiſe the neceſſary ſupplies to ſupport its own government. An aſſembly that would refuſe it muſt want common ſenſe, which cannot be ſuppoſed. I think there was never any ſuch caſe at New-York, and that it muſt be a miſrepreſentation, or the fact muſt be miſunderſtood. I know there have been ſome attempts, by miniſterial inſtructions from hence, to oblige the aſſemblies to ſettle permanent ſalaries on governors, which they wiſely refuſed to do; but I believe no aſſembly of New-York, or any other Colony, ever refuſed duly to ſupport government by proper allowances, from time to time, to public officers.

Q. But in caſe a governor, acting by inſtruction, ſhould call on an aſſembly to raiſe the neceſſary ſupplies, and the aſſembly ſhould refuſe to do it, do you not think

think it would then be for the good of the people of the colony, as well as neceſſary to government, that the parliament ſhould tax them?

A. I do not think it would be neceſſary. If an aſſembly could poſſibly be ſo abſurd as to refuſe raiſing the ſupplies requiſite for the maintenance of government among them, they could not long remain in ſuch a ſituation; the diſorders and confuſion occaſioned by it muſt ſoon bring them to reaſon.

Q. If it ſhould not, ought not the right to be in Great-Britain of applying a remedy?

A. A right only to be uſed in ſuch a caſe, I ſhould have no objection to, ſuppoſing it to be uſed merely for the good of the people of the Colony.

Q. But who is to judge of that, Britain or the Colony?

A. Thoſe that feel can beſt judge.

Q. You ſay the Colonies have always ſubmitted to external taxes, and object to the right of parliament only in laying internal taxes; now can you ſhew that there is any kind of difference between the two taxes to the Colony on which they may be laid?

A. I think the difference is very great. An external tax is a duty laid on commodities

dities imported; that duty is added to the firſt coſt, and other charges on the commodity, and when it is offered to ſale, makes a part of the price. If the people do not like it at that price, they refuſe it; they are not obliged to pay it. But an internal tax is forced from the people without their conſent, if not laid by their own repreſentatives. The ſtamp-act ſays, we ſhall have no commerce, make no exchange of property with each other, neither purchaſe nor grant, nor recover debts; we ſhall neither marry nor make our wills, unleſs we pay ſuch and ſuch ſums, and thus it is intended to extort our money from us, or ruin us by the conſequences of refuſing to pay it.

Q. But ſuppoſing the internal tax or duty to be laid on the neceſſaries of life imported into your colony, will not that be the ſame thing in its effects as an internal tax?

A. I do not know a ſingle article imported into the Northern Colonies, but what they can either do without, or make themſelves.

Q. Don't you think cloth from England abſolutely neceſſary to them?

A. No, by no means abſolutely neceſſary; with induſtry and good management, they may very well ſupply themſelves with all they want.

Q. Will it not take a long time to eſtabliſh that manufacture among them; and muſt they not in the mean while ſuffer greatly?

A. I think not. They have made a ſurpriſing progreſs already. And I am of opinion, that before their old clothes are worn out, they will have new ones of their own making.

Q. Can they poſſibly find wool enough in North-America?

A. They have taken ſteps to increaſe the wool. They entered into general combinations to eat no more lamb, and very few lambs were killed laſt year. This courſe perſiſted in, will ſoon make a prodigious difference in the quantity of wool. And the eſtabliſhing of great manufactories, like thoſe in the clothing towns here, is not neceſſary, as it is where the buſineſs is to be carried on for the purpoſes of trade. The people will all ſpin, and work for themſelves, in their own houſes.

Q. Can there be wool and manufacture enough in one or two years?

A. In three years, I think, there may.

Q. Does not the ſeverity of the winter, in the Northern Colonies, occaſion the wool to be of bad quality?

A. No; the wool is very fine and good.

Q. In

Q. In the more Southern Colonies, as in Virginia, don't you know that the wool is coarſe, and only a kind of hair?

A. I don't know it. I never heard it. Yet I have been ſometimes in Virginia. I cannot ſay I ever took particular notice of the wool there, but I believe it is good, though I cannot ſpeak poſitively of it; but Virginia, and the Colonies ſouth of it, have leſs occaſion for wool; their winters are ſhort, and not very ſevere, and they can very well clothe themſelves with linen and cotton of their own raiſing for the reſt of the year.

Q. Are not the people in the more Northern Colonies obliged to fodder their ſheep all the winter?

A. In ſome of the moſt Northern Colonies they may be obliged to do it ſome part of the winter.

Q. Conſidering the reſolutions of parliament, as to the right, do you think, if the ſtamp-act is repealed, that the North-Americans will be ſatisfied?

A. I believe they will.

Q. Why do you think ſo?

A. I think the reſolutions of right will give them very little concern, if they are never attempted to be carried into practice. The Colonies will probably conſider themſelves in the ſame ſituation, in

that reſpect, with Ireland; they know you claim the ſame right with regard to Ireland, but you never exerciſe it. And they may believe you never will exerciſe it in the Colonies, any more than in Ireland, unleſs on ſome very extraordinary occaſion.

Q. But who are to be the judges of that extraordinary occaſion? Is not the parliament?

A. Though the parliament may judge of the occaſion, the people will think it can never exerciſe ſuch right, till repreſentatives from the Colonies are admitted into parliament, and that whenever the occaſion ariſes, repreſentatives will be ordered.

Q. Did you never hear that Maryland, during the laſt war, had refuſed to furniſh a quota towards the common defence?

A. Maryland has been much miſrepreſented in that matter. Maryland, to my knowledge, never refuſed to contribute, or grant aids to the crown. The aſſemblies every year, during the war, voted conſiderable ſums, and formed bills to raiſe them. The bills were, according to the conſtitution of that province, ſent up to the council, or upper houſe, for concurrence, that they might be preſented to the governor, in order to be enacted into laws.

Unhappy

Unhappy diſputes between the two houſes ariſing, from the defects of that conſtitution principally, rendered all the bills but one or two abortive. The proprietary's council rejected them. It is true, Maryland did not contribute its proportion, but it was, in my opinion, the fault of the government, not of the people.

Q. Was it not talked of in the other provinces as a proper meaſure to apply to parliament to compel them?

A. I have heard ſuch diſcourſe; but as it was well known, that the people were not to blame, no ſuch application was ever made, nor any ſtep taken towards it.

Q. Was it not propoſed at a public meeting?

A. Not that I know of.

Q. Do you remember the aboliſhing of the paper currency in New-England, by act of aſſembly?

A. I do remember its being aboliſhed, in the Maſſachuſett's Bay.

Q. Was not Lieutenant-Governor Hutchinſon principally concerned in that tranſaction?

A. I have heard ſo.

Q. Was it not at that time a very unpopular law?

A. I believe it might, though I can ſay little about it, as I lived at a diſtance from that province.

Q. Was

Q. Was not the ſcarcity of gold and ſilver an argument uſed againſt aboliſhing the paper?

A. I ſuppoſe it was.

Q. What is the preſent opinion there of that law? Is it as unpopular as it was at firſt?

A. I think it is not.

Q. Have not inſtructions from hence been ſometimes ſent over to governors, highly oppreſſive and unpolitical?

A. Yes.

Q. Have not ſome governors diſpenſed with them for that reaſon?

A. Yes; I have heard ſo.

Q. Did the Americans ever diſpute the controuling power of parliament to regulate the commerce?

A. No.

Q. Can any thing leſs than a military force carry the ſtamp-act into execution?

A. I do not ſee how a military force can be applied to that purpoſe.

Q. Why may it not?

A. Suppoſe a military force ſent into America, they will find nobody in arms; what are they then to do? They cannot force a man to take ſtamps who chuſes to do without them. They will not find a rebellion; they may indeed make one.

Q. If the act is not repealed, what do you think will be the conſequences?

A.

A. A total loſs of the reſpect and affection the people of America bear to this country, and of all the commerce that depends on that reſpect and affection.

Q. How can the commerce be affected?

A. You will find, that if the act is not repealed, they will take very little of your manufactures in a ſhort time.

Q. Is it in their power to do without them?

A. I think they may very well do without them.

Q. Is it their intereſt not to take them?

A. The goods they take from Britain are either neceſſaries, mere conveniences, or ſuperfluities. The firſt, as cloth, &c. with a little induſtry they can make at home; the ſecond they can do without, till they are able to provide them among themſelves; and the laſt, which are much the greateſt part, they will ſtrike off immediately. They are mere articles of faſhion, purchaſed and conſumed, becauſe the faſhion in a reſpected country, but will now be deteſted and rejected. The people have already ſtruck off, by general agreement, the uſe of all goods faſhionable in mournings, and many thouſand pounds worth are ſent back as unſaleable.

Q. Is it their intereſt to make cloth at home?

A. I think they may at preſent get it cheaper from Britain, I mean of the ſame fineneſs and neatneſs of workmanſhip; but when one conſiders other circumſtances, the reſtraints on their trade, and the difficulty of making remittances, it is their intereſt to make every thing.

Q. Suppoſe an act of internal regulations connected with a tax, how would they receive it?

A. I think it would be objected to.

Q. Then no regulation with a tax would be ſubmitted to?

A. Their opinion is, that when aids to the Crown are wanted, they are to be aſked of the ſeveral aſſemblies, according to the old eſtabliſhed uſage, who will, as they always have done, grant them freely. And that their money ought not to be given away, without their conſent, by perſons at a diſtance, unacquainted with their circumſtances and abilities. The granting aids to the Crown, is the only means they have of recommending themſelves to their ſovereign, and they think it extremely hard and unjuſt, that a body of men, in which they have no repreſentatives, ſhould make a merit to itſelf of giving and granting what is not its own, but theirs, and deprive them of a right they eſteem of the utmoſt value and importance,

ance, as it is the ſecurity of all their other rights.

Q. But is not the poſt-office, which they have long received, a tax as well as a regulation?

A. No; the money paid for the poſtage of a letter is not of the nature of a tax; it is merely a quantum meruit for a ſervice done; no perſon is compellable to pay the money, if he does not chuſe to receive the ſervice. A man may ſtill, as before the act, ſend his letter by a ſervant, a ſpecial meſſenger, or a friend, if he thinks it cheaper and ſafer.

Q. But do they not conſider the regulations of the poſt-office, by the act of laſt year as a tax?

A. By the regulations of laſt year the rate of poſtage was generally abated near thirty per cent. through all America; they certainly cannot conſider ſuch abatement as a tax.

Q. If an exciſe was laid by parliament, which they might likewiſe avoid paying, by not conſuming the articles exciſed, would they then not object to it?

A. They would certainly object to it, as an exciſe is unconnected with any ſervice done, and is merely an aid which they think ought to be aſked of them, and granted by them, if they are to pay it, and can be granted for them by no

others whatſoever, whom they have not impowered for that purpoſe.

Q. You ſay they do not object to the right of parliament, in laying duties on goods to be paid on their importation; now, is there any kind of difference between a duty on the importation of goods, and an exciſe on their conſumption?

A. Yes; a very material one; an exciſe, for the reaſons I have juſt mentioned, they think you can have no right to lay within their country. But the ſea is yours; you maintain, by your fleets, the ſafety of navigation in it, and keep it clear of pirates; you may have therefore a natural and equitable right to ſome toll or duty on merchandizes carried through that part of your dominions, towards defraying the expence you are at in ſhips to maintain the ſafety of that carriage.

Q. Does this reaſoning hold in the caſe of a duty laid on the produce of their lands exported? And would they not then object to ſuch a duty?

A. If it tended to make the produce ſo much dearer abroad as to leſſen the demand for it, to be ſure they would object to ſuch a duty; not to your right of laying it, but they would complain of it as a burthen, and petition you to lighten it.

Q. Is not the duty paid on the tobacco exported a duty of that kind?

A. That,

A. That, I think, is only on tobacco carried coaſtwiſe from one Colony to another, and appropriated as a fund for ſupporting the college at Williamſburgh, in Virginia.

Q. Have not the aſſemblies in the Weſt-Indies the ſame natural rights with thoſe in North-America?

A. Undoubtedly.

Q. And is there not a tax laid there on their ſugars exported?

A. I am not much acquainted with the Weſt-Indies, but the duty of four and a half per cent. on ſugars exported, was, I believe, granted by their own aſſemblies.

Q. How much is the poll-tax in your province laid on unmarried men?

A. It is, I think Fifteen Shillings, to be paid by every ſingle freeman, upwards of twenty-one years old.

Q. What is the annual amount of all the taxes in Pennſylvania?

A. I ſuppoſe about 20,000 Pounds ſterling.

Q. Suppoſing the ſtamp-act continued, and enforced, do you imagine that ill-humour will induce the Americans to give as much for worſe manufactures of their own, and uſe them, preferably to better of ours?

A. Yes, I think ſo. People will pay as freely to gratify one paſſion as another, their reſentment as their pride.

 Q. Would

Q. Would the people at Boſton diſcontinue their trade?

A. The merchants are a very ſmall number, compared with the body of the people, and muſt diſcontinue their trade, if nobody will buy their goods.

Q. What are the body of the people in the Colonies?

A. They are farmers, huſbandmen or planters.

Q. Would they ſuffer the produce of their lands to rot?

A. No; but they would not raiſe ſo much. They would manufacture more, and plough leſs.

Q. Would they live without the adminiſtration of juſtice in civil matters, and ſuffer all the inconveniencies of ſuch a ſituation for any conſiderable time, rather than take the ſtamps, ſuppoſing the ſtamps were protected by a ſufficient force, where every one might have them?

A. I think the ſuppoſition impracticable, that the ſtamps ſhould be ſo protected as that every one might have them. The act requires ſub-diſtributors to be appointed in every county town, diſtrict and village, and they would be neceſſary. But the principal diſtributors, who were to have had a conſiderable profit on the whole, have not thought it worth while to continue

tinue in the office, and I think it impoſſible to find ſub-diſtributors fit to be truſted, who, for the trifling profit that muſt come to their ſhare, would incur the odium, and run the hazard that would attend it; and if they could be found, I think it impracticable to protect the ſtamps in ſo many diſtant and remote places.

Q. But in places where they could be protected, would not the people uſe them rather than remain in ſuch a ſituation, unable to obtain any right, or recover, by law, any debt?

A. It is hard to ſay what they would do. I can only judge what other people will think, and how they will act, by what I feel within myſelf. I have a great many debts due to me in America, and I had rather they ſhould remain unrecoverable by any law, than ſubmit to the ſtamp-act. They will be debts of honour. It is my opinion the people will either continue in that ſituation, or find ſome way to extricate themſelves, perhaps by generally agreeing to proceed in the courts without ſtamps.

Q. What do you think a ſufficient military force to protect the diſtribution of the ſtamps in every part of America?

A.

A. A very great force; I can't ſay what, if the diſpoſition of America is for a general reſiſtance.

Q. What is the number of men in America able to bear arms, or of diſciplined militia?

A. There are, I ſuppoſe, at leaſt——

[*Queſtion objected to. He withdrew. Called in again.*]

Q. Is the American ſtamp-act an equal tax on that country?

A. I think not.

Q. Why ſo?

A. The greateſt part of the money muſt ariſe from law-ſuits for the recovery of debts, and be paid by the lower ſort of people, who were too poor eaſily to pay their debts. It is therefore a heavy tax on the poor, and a tax upon them for being poor.

Q. But will not this increaſe of expence be a means of leſſening the number of law-ſuits?

A. I think not; for as the coſts all fall upon the debtor, and are to be paid by him, they would be no diſcouragement to the creditor to bring his action.

Q. Would it not have the effect of exceſſive uſury?

A. Yes, as an oppreſſion of the debtor.

Q. How

Q. How many ſhips are there laden annually in North-America with flax-ſeed for Ireland?

A. I cannot ſpeak to the number of ſhips, but I know that in 1752, 10,000 hogſheads of flax-ſeed, each containing 7 buſhels, were exported from Philadelphia to Ireland. I ſuppoſe the quantity is greatly increaſed ſince that time; and it is underſtood that the exportation from New-York is equal to that from Philadelphia.

Q. What becomes of the flax that grows with that flax-ſeed?

A. They manufacture ſome into coarſe, and ſome into a middling kind of linen.

Q. Are there any ſlitting-mills in America?

A. I think there are three, but I believe only one at preſent employed. I ſuppoſe they will all be ſet to work, if the interruption of the trade continues.

Q. Are there any fulling mills there?

A. A great many.

Q. Did you never hear that a great quantity of ſtockings were contracted for, for the army, during the war, and manufactured in Philadelphia?

A. I have heard ſo.

Q. If the ſtamp-act ſhould be repealed, would not the Americans think they could

could oblige the parliament to repeal every external tax-law now in force?

A. It is hard to anſwer queſtions of what people at ſuch a diſtance will think.

Q. But what do you imagine they will think were the motives of repealing the act?

A. I ſuppoſe they will think that it was repealed from a conviction of its inexpediency; and they will rely upon it, that while the ſame inexpediency ſubſiſts, you will never attempt to make ſuch another.

Q. What do you mean by its inexpediency?

A. I mean its inexpediency on ſeveral accounts; the poverty and inability of thoſe who were to pay the tax; the general diſcontent it has occaſioned; and the impracticability of enforcing it.

Q. If the act ſhould be repealed, and the legiſlature ſhould ſhew its reſentment to the oppoſers of the ſtamp-act, would the Colonies acquieſce in the authority of the legiſlature? What is your opinion they would do?

A. I don't doubt at all, that if the legiſlature repeal the ſtamp-act, the Colonies will acquieſce in the authority.

Q. But if the legiſlature ſhould think fit to aſcertain its right to lay taxes, by any

any act laying a ſmall tax, contrary to their opinion, would they ſubmit to pay the tax?

A. The proceedings of the people in America have been conſidered too much together. The proceedings of the aſſemblies have been very different from thoſe of the mobs, and ſhould be diſtinguiſhed, as having no connection with each other. —The aſſemblies have only peaceably reſolved what they take to be their rights; they have taken no meaſures for oppoſition by force; they have not built a fort, raiſed a man, or provided a grain of ammunition, in order to ſuch oppoſition.—The ring-leaders of riots they think ought to be puniſhed; they would puniſh them themſelves, if they could. Every ſober, ſenſible man would wiſh to ſee rioters puniſhed, as otherwiſe peaceable people have no ſecurity of perſon or eſtate. But as to an internal tax, how ſmall ſoever, laid by the legiſlature here on the people there, while they have no repreſentatives in this legiſlature, I think it will never be ſubmitted to.—They will oppoſe it to the laſt.—They do not conſider it as at all neceſſary for you to raiſe money on them by your taxes, becauſe they are, and always have been, ready to raiſe money by taxes among themſelves, and to grant large ſums, equal to their abilities, upon requiſition from

the Crown.—They have not only granted equal to their abilities, but, during all the laſt war, they granted far beyond their abilities, and beyond their proportion with this country, you yourſelves being judges, to the amount of many hundred thouſand pounds, and this they did freely and readily, only on a ſort of promiſe from the ſecretary of ſtate, that it ſhould be recommended to parliament to make them compenſation. It was accordingly recommended to parliament, in the moſt honourable manner, for them. America has been greatly miſrepreſented and abuſed here, in papers, and pamphlets, and ſpeeches, as ungrateful, and unreaſonable, and unjuſt, in having put this nation to immenſe expence for their defence, and refuſing to bear any part of that expence. The Colonies raiſed, paid, and clothed, near 25000 men during the laſt war, a number equal to thoſe ſent from Britain, and far beyond their proportion; they went deeply into debt in doing this, and all their taxes and eſtates are mortgaged, for many years to come, for diſcharging that debt. Government here was at that time very ſenſible of this. The Colonies were recommended to parliament. Every year the king ſent down to the houſe a written meſſage to this purpoſe, That his Majeſty,

Majeſty, being highly ſenſible of the zeal and vigour with which his faithful ſubjects in North-America had exerted themſelves, in defence of his Majeſty's juſt rights and poſſeſſions, recommended it to the houſe to take the ſame into conſideration, and enable him to give them a proper compenſation. You will find thoſe meſſages on your own journals every year of the war to the very laſt, and you did accordingly give 200,000 Pounds annually to the Crown, to be diſtributed in ſuch compenſation to the Colonies. This is the ſtrongeſt of all proofs that the Colonies, far from being unwilling to bear a ſhare of the burthen, did exceed their proportion; for if they had done leſs, or had only equalled their proportion, there would have been no room or reaſon for compenſation.— Indeed the ſums reimburſed them, were by no means adequate to the expence they incurred beyond their proportion; but they never murmured at that, they eſteemed their Sovereign's approbation of their zeal and fidelity, and the approbation of this houſe, far beyond any other kind of compenſation; therefore there was no occaſion for this act, to force money from a willing people; they had not refuſed giving money for the purpoſes of the act; no requiſition had been

made; they were always willing and ready to do what could reaſonably be expected from them, and in this light they wiſh to be conſidered.

Q. But ſuppoſe Great-Britain ſhould be engaged in a war in Europe, would North-America contribute to the ſupport of it?

A. I do think they would, as far as their circumſtances would permit. They conſider themſelves as a part of the Britiſh empire, and as having one common intereſt with it; they may be looked on here as foreigners, but they do not conſider themſelves as ſuch. They are zealous for the honour and proſperity of this nation, and, while they are well uſed, will always be ready to ſupport it, as far as their little power goes. In 1739 they were called upon to aſſiſt in the expedition againſt Carthagena, and they ſent 3000 men to join your army. It is true Carthagena is in America, but as remote from the Northern Colonies as if it had been in Europe. They make no diſtinction of wars, as to their duty of aſſiſting in them. I know the laſt war is commonly ſpoke of here as entered into for the defence, or for the ſake of the people of America. I think it is quite miſunderſtood. It began about the limits between Canada and Nova-Scotia, about territories to which the

the Crown indeed laid claim, but were not claimed by any Britiſh Colony; none of the lands had been granted to any Coloniſt; we had therefore no particular concern or intereſt in that diſpute. As to the Ohio, the conteſt there began about your right of trading in the Indian country, a right you had by the treaty of Utrecht, which the French infringed; they ſeized the traders and their goods, which were your manufactures; they took a fort which a company of your merchants, and their factors and correſpondents, had erected there, to ſecure that trade. Braddock was ſent with an army to re-take that fort (which was looked on here as another incroachment on the King's territory) and to protect your trade. It was not till after his defeat that the Colonies were attacked. They were before in perfect peace with both French and Indians; the troops were not therefore ſent for their defence. The trade with the Indians, though carried on in America, is not an American intereſt. The people of America are chiefly farmers and planters; ſcarce any thing that they raiſe or produce is an article of commerce with the Indians. The Indian trade is a Britiſh intereſt; it is carried on with Britiſh manufactures, for the profit of Britiſh mer-

merchants and manufacturers; therefore the war, as it commenced for the defence of territories of the Crown, the property of no American, and for the defence of a trade purely Britiſh, was really a Britiſh war—and yet the people of America made no ſcruple of contributing their utmoſt towards carrying it on, and bringing it to a happy concluſion.

Q. Do you think then that the taking poſſeſſion of the King's territorial rights, and ſtrengthening the frontiers, is not an American intereſt?

A. Not particularly, but conjointly a Britiſh and an American intereſt.

Q. You will not deny that the preceding war, the war with Spain, was entered into for the ſake of America; was it not occaſioned by captures made in the American ſeas?

A. Yes; captures of ſhips carrying on the Britiſh trade there, with Britiſh manufactures.

Q. Was not the late war with the Indians, ſince the peace with France, a war for America only?

A. Yes; it was more particularly for America than the former, but it was rather a conſequence or remains of the former war, the Indians not having been thoroughly pacified, and the Americans bore

bore by much the greateſt ſhare of the expence. It was put an end to by the army under General Bouquet; there were not above 300 regulars in that army, and above 1000 Pennſylvanians.

Q. Is it not neceſſary to ſends troops to America, to defend the Americans againſt the Indians?

A. No, by no means; it never was neceſſary. They defended themſelves when they were but an handful, and the Indians much more numerous. They continually gained ground, and have driven the Indians over the mountains, without any troops ſent to their aſſiſtance from this country. And can it be thought neceſſary now to ſend troops for their defence from thoſe diminiſhed Indian tribes, when the Colonies are become ſo populous, and ſo ſtrong? There is not the leaſt occaſion for it; they are very able to defend themſelves.

Q. Do you ſay there were no more than 300 regular troops employed in the late Indian war?

A. Not on the Ohio, or the frontiers of Pennſylvania, which was the chief part of the war that affected the Colonies. There were garriſons at Niagara, Fort Detroit, and thoſe remote poſts kept for the ſake of your trade; I did not reckon them,

them, but I believe that on the whole the number of Americans, or provincial troops, employed in the war, was greater than that of the regulars. I am not certain, but I think ſo.

Q. Do you think the aſſemblies have a right to levy money on the ſubject there, to grant to the Crown?

A. I certainly think ſo; they have always done it.

Q. Are they acquainted with the declaration of rights? And do they know that, by that ſtatute, money is not to be raiſed on the ſubject but by conſent of parliament?

A. They are very well acquainted with it.

Q. How then can they think they have a right to levy money for the Crown, or for any other than local purpoſes?

A. They underſtand that clauſe to relate to ſubjects only within the realm; that no money can be levied on them for the Crown, but by conſent of parliament. The Colonies are not ſuppoſed to be within the realm; they have aſſemblies of their own, which are their parliaments, and they are, in that reſpect, in the ſame ſituation with Ireland. When money is to be raiſed for the Crown upon the ſubject in Ireland, or in the Colonies, the

conſent

conſent is given in the parliament of Ireland, or in the aſſemblies of the Colonies. They think the parliament of Great-Britain cannot properly give that conſent till it has repreſentatives from America; for the petition of right expreſsly ſays, it is to be by common conſent in parliament, and the people of America have no repreſentatives in parliament, to make a part of that common conſent.

Q. If the ſtamp-act ſhould be repealed, and an act ſhould paſs, ordering the aſſemblies of the Colonies to indemnify the ſufferers by the riots, would they obey it?

A. That is a queſtion I cannot anſwer.

Q. Suppoſe the King ſhould require the Colonies to grant a revenue, and the parliament ſhould be againſt their doing it, do they think they can grant a revenue to the King, without the conſent of the parliament of Great-Britain?

A. That is a deep queſtion.—As to my own opinion, I ſhould think myſelf at liberty to do it, and ſhould do it, if I liked the occaſion. hold them to it. Dr.

Q. When money has been raiſed in the Colonies, upon requiſitions, has it not been granted to the King?

A. Yes, always; but the requiſitions have generally been for ſome ſervice expreſſed, as to raiſe, clothe and pay troops, and not for money only.

Q. If the act ſhould paſs, requiring the American aſſemblies to make compenſation to the ſufferers, and they ſhould diſobey it, and then the parliament ſhould, by another act, lay an internal tax, would they then obey it?

A. The people will pay no internal tax; and I think an act to oblige the aſſemblies to make compenſation is unneceſſary, for I am of opinion, that as ſoon as the preſent heats are abated, they will take the matter into conſideration, and if it is right to be done, they will do it of themſelves.

Q. Do not letters often come into the poſt-offices in America, directed to ſome inland town where no poſt goes?

A. Yes.

Q. Can any private perſon take up thoſe letters, and carry them as directed?

A. Yes; any friend of the perſon may do it, paying the poſtage that has accrued.

Q. But muſt not he pay an additional poſtage for the diſtance to ſuch inland town?

A. No.

Q. Can the poſt-maſter anſwer delivering the letter, without being paid ſuch additional poſtage?

A. Certainly he can demand nothing, where he does no ſervice.

Q. Suppoſe a perſon, being far from home, finds a letter in a poſt-office directed

rected to him, and he lives in a place to which the poſt generally goes, and the letter is directed to that place, will the poſt-maſter deliver him the letter, without his paying the poſtage receivable at the place to which the letter is directed.

A. Yes; the office cannot demand poſtage for a letter that it does not carry, or farther than it does carry it.

Q. Are not ferrymen in America obliged, by act of parliament, to carry over the poſts without pay?

A. Yes.

Q. Is not this a tax on the ferrymen?

A. They do not conſider it as ſuch, as they have an advantage from perſons travelling with the poſt.

Q. If the ſtamp-act ſhould be repealed and the Crown ſhould make a requiſition to the Colonies for a ſum of money, would they grant it?

A. I believe they would.

Q. Why do you think ſo?

A. I can ſpeak for the Colony I live in; I had it in inſtruction from the aſſembly to aſſure the miniſtry, that as they always had done, ſo they ſhould always think it their duty to grant ſuch aids to the Crown as were ſuitable to their circumſtances and abilities, whenever called upon for the purpoſe, in the uſual conſti-

tutional manner; and I had the honour of communicating this inſtruction to that honourable gentleman then miniſter.

Q. Would they do this for a Britiſh concern; as ſuppoſe a war in ſome part of Europe, that did not affect them?

A. Yes, for any thing that concerned the general intereſt. They conſider themſelves as a part of the whole.

Q. What is the uſual conſtitutional manner of calling on the Colonies for aids?

A. A letter from the ſecretary of ſtate.

Q. Is this all you mean, a letter from the ſecretary of ſtate?

A. I mean the uſual way of requiſition, in a circular letter from the ſecretary of ſtate, by his Majeſty's command, reciting the occaſion, and recommending it to the Colonies to grant ſuch aids as became their loyalty, and were ſuitable to their abilities.

Q. Did the ſecretary of ſtate ever write for money for the Crown?

A. The requiſitions have been to raiſe, clothe and pay men, which cannot be done without money.

Q. Would they grant money alone, if called on?

A. In my opinion they would, money as well as men, when they have money, or can make it.

Q. If

Q. If the parliament ſhould repeal the ſtamp-act, will the aſſembly of Pennſylvania reſcind their reſolutions?

A. I think not.

Q. Before there was any thought of the ſtamp-act, did they wiſh for a repreſentation in parliament?

A. No.

Q. Don't you know that there is, in the Pennſylvania charter, an expreſs reſervation of the right of parliament to lay taxes there?

A. I know there is a clauſe in the charter, by which the King grants that he will levy no taxes on the inhabitants, unleſs it be with the conſent of the aſſembly, or by act of parliament.

Q. How then could the aſſembly of Pennſylvania aſſert, that laying a tax on them by the ſtamp-act was an infringement of their rights?

A. They underſtand it thus; by the ſame charter, and otherwiſe, they are intitled to all the privileges and liberties of Engliſhmen; they find in the great charters, and the petition and declaration of rights, that one of the privileges of Engliſh ſubjects is, that they are not to be taxed but by their common conſent; they have therefore relied upon it, from the firſt ſettlement of the province, that the par-

parliament never would, nor could, by colour of that clauſe in the charter, aſſume a right of taxing them, till it had qualified itſelf to exerciſe ſuch right, by admitting repreſentatives from the people to be taxed, who ought to make a part of that common conſent.

Q. Are there any words in the charter that juſtify that conſtruction?

A. The common rights of Engliſhmen, as declared by Magna Charta, and the petition of right, all juſtify it.

Q. Does the diſtinction between internal and external taxes exiſt in the words of the charter?

A. No, I believe not.

Q. Then may they not, by the ſame interpretation, object to the parliament's right of external taxation?

A. They never have hitherto. Many arguments have been lately uſed here to ſhew them that there is no difference, and that if you have no right to tax them internally, you have none to tax them externally, or make any other law to bind them. At preſent they do not reaſon ſo, but in time they may poſſibly be convinced by theſe arguments.

Q. Do not the reſolutions of the Pennſylvania aſſembly ſay all taxes?

A. If they do, they mean only internal taxes; the ſame words have not always the

the ſame meaning here and in the Colonies. By taxes they mean internal taxes; by duties they mean cuſtoms; theſe are their ideas of the language.

Q. Have you not ſeen the reſolutions of the Maſſachuſet's Bay aſſembly?

A. I have.

Q. Do they not ſay, that neither external nor internal taxes can be laid on them by parliament?

A. I don't know that they do; I believe not.

Q. If the ſame Colony ſhould ſay neither tax nor impoſition could be laid, does not that province hold the power of parliament can lay neither?

A. I ſuppoſe that by the word impoſition, they do not intend to expreſs duties to be laid on goods imported, as regulations of commerce.

Q. What can the Colonies mean then by impoſition as diſtinct from taxes?

A. They may mean many things, as impreſſing of men, or of carriages, quartering troops on private houſes, and the like; there may be great impoſitions that are not properly taxes.

Q. Is not the poſt-office rate an internal tax laid by act of parliament?

A. I have anſwered that. p. 25

Q. Are all parts of the Colonies equally able to pay taxes?

A. No.

A. No, certainly; the frontier parts, which have been ravaged by the enemy, are greatly disabled by that means, and therefore, in such cases, are usually favoured in our tax-laws.

Q. Can we, at this distance, be competent judges of what favours are necessary?

A. The parliament have supposed it, by claiming a right to make tax-laws for America? I think it impossible.

Q. Would the repeal of the stamp-act be any discouragement of your manufactures? Will the people that have begun to manufacture decline it?

A. Yes, I think they will; especially if, at the same time, the trade is opened again, so that remittances can be easily made. I have known several instances that make it probable. In the war before last, tobacco being low, and making little remittance, the people of Virginia went generally into family manufactures. Afterwards, when tobacco bore a better price, they returned to the use of British manufactures. So fulling-mills were very much disused in the last war in Pennsylvania, because bills were then plenty, and remittances could easily be made to Britain for English cloth and other goods.

Q. If

Q. If the ſtamp-act ſhould be repealed, would it induce the aſſemblies of America to acknowledge the rights of parliament to tax them, and would they eraſe their reſolutions?

A. No, never.

Q. Is there no means of obliging them to eraſe thoſe reſolutions?

A. None that I know of; they will never do it, unleſs compelled by force of arms.

Q. Is there a power on earth that can force them to eraſe them?

A. No power, how great ſoever, can force men to change their opinions.

Q. Do they conſider the poſt-office as a tax, or as a regulation?

A. Not as a tax, but as a regulation and conveniency; every aſſembly encouraged it, and ſupported it in its infancy, by grants of money, which they would not otherwiſe have done; and the people have always paid the poſtage.

Q. When did you receive the inſtructions you mentioned?

A. I brought them with me, when I came to England, about 15 months ſince.

Q. When did you communicate that inſtruction to the miniſter?

A. Soon after my arrival, while the ſtamping of America was under conſideration, and before the bill was brought in.

Q. Would it be moſt for the intereſt of Great-Britain, to employ the hands of Virginia in tobacco, or in manufactures.

A. In tobacco, to be ſure.

Q. What uſed to be the pride of the Americans?

A. To indulge in the faſhions and manufactures of Great-Britain.

Q. What is now their pride?

A. To wear their old cloaths over again, till they can make new ones.

withdrew.

TWO PAPERS,

On the SUBJECT of

TAXING

THE

BRITISH COLONIES

IN

AMERICA.

The FIRST entitled,

" Some REMARKS on the moſt rational and
" effectual Means that can be uſed in the
" preſent Conjuncture for the future Se-
" curity and Preſervation of the Trade of
" *Great-Britain*, by protecting and ad-
" vancing her Settlements on the North
" Continent of *America*."

The OTHER,

" A PROPOSAL for eſtabliſhing by Act of
" Parliament the Duties upon Stampt Pa-
" per and Parchment in all the *Britiſh*
" *American* Colonies."

LONDON:
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TO THE

READER.

THE following Papers were drawn up by a Club of *American* Merchants; at the Head of whom were Sir WILLIAM KEITH, Governor of *Penſylvania*; the celebrated Mr. JOSHUA GEE, and many other eminent Perſons. They were printed and publiſhed in the Year 1739, and are now re-printed and re-publiſhed entire, that the World may ſee what were the Sentiments and Doctrines, at that Time, of the greateſt Friends to *America*, and of thoſe who were beſt acquainted with the Rights and Commercial Intereſt of the Colonies; particularly with regard to the Eſtabliſhment of Stamp-Duties in *America*, by the Parliament of *Great-Britain*, and the Application of the Revenue ariſing therefrom; in both which Reſpects, the Plan contained in theſe Papers agrees exactly

exactly with the Stamp-Act repealed during the laſt Seſſion of Parliament. By comparing theſe Papers, which were printed near thirty Years ago, with the Doctrines lately broached in *America*, and now publicly avowed here by Miniſters of State for the firſt Time, the Reader may be enabled to form ſome Judgment of the Merit or Demerit which thoſe who have ſupported or reſiſted them have had to the King, the Parliament, and the People of *Great-Britain*; and it is therefore hoped, that the Publication of them cannot be thought improper at this Juncture.

Some

Some REMARKS *on the moſt rational and effectual Means that can be uſed in the preſent Conjuncture for the future Security and Preſervation of the Trade of* Great Britain, *by protecting and advancing her Settlements on the North Continent of* America.

THE Incroachments and conſiderable Advantages which of late Years have been made, eſpecially by *France*, on the *Britiſh* Commerce every where, but more particularly in the *Weſt Indies*, by Means of that Nation's having the Preference to furniſh the *Spaniards* with all they want in thoſe Parts, and conſequently to ingroſs an immoderate Share of that Wealth or Bullion which is the Support of all *European* Trade, is a Matter of ſuch Conſequence, as calls for our immediate and moſt ſedate Deliberation; becauſe, unleſs we can either bring the *Spaniſh* Nation into that Freedom of Commerce

with us again, as they have formerly been accuſtomed to, and would naturally chuſe, or by ſome particular Induſtry ſecure to Ourſelves all thoſe Advantages which can be made in Trade, by carefully protecting and encouraging our many extenſive and valuable Settlements in *America*, it will in all Appearance be impoſſible for *Great Britain* much longer to ſuſtain that Rank, which ſhe has now held for almoſt two Centuries amongſt her *European* Neighbours.

With great Deference and Submiſſion therefore to whatever the Councils of *Great Britain* may think fit in the preſent Juncture of Time to determine, with regard to Peace or War, it is humbly propoſed only, that ſome little Care ſhould be immediately taken to put our Colonies, eſpecially in the Continent of *North America*, in a proper Condition either to defend themſelves againſt any Attacks that can be made on them in War, or to protect and duly encourage their lawful Commerce in Time of Peace.

For this Purpoſe, if we pleaſe to conſider firſt the Situation of the *Britiſh* Colonies,

Colonies*, with reſpect to their Rivals in *America*, and how the *French* have moſt indefatigably carried on their Friendſhip and Correſpondence with the Natives all along bordering upon and behind our Settlements, from *Quebeck* to the Mouth of the River *Miſſiſſippi* in the Gulf of *Mexico*; ſo that our Indian Traders are continually obſtructed from travelling Weſtward on the Lakes by a Multitude of little Forts, erected at proper Diſtances, and filled with *French* Soldiers to protect their own, and interrupt our Commerce that Way; by which Means the vaſt and numerous Nations of *Indians* to the Weſtward are wholly deprived from the Opportunity of dealing with the *Engliſh*, notwithſtanding that we can afford all the Commodities they want at above 150 *per Cent.* cheaper than what they pay to our Rivals: And next, if we do but examine the vaſt Diſproportion of Numbers between Us and Them, as well as the much greater Variety of Commodities wherewith We

* Vid. *A Report to the Lords of Trade from the Governor of* Penſylvania, February 1718.

can more readily ſupply that Trade, and the prodigious Spirit and Inclination in our People to carry it on, nothing ſurely but infatuation can ſuffer us to delay one Moment in raiſing ſuch a ſmall Number of Regular Troops, to be conſtantly employed there, as would maintain our unqueſtionable Right to the vacant Lands on the Back of our own Settlements, encourage the Progreſs of our Plantations Weſtward, and thereby eaſily open to Ourſelves a free Correſpondence with thoſe vaſt and populous Nations of *Indians*, to whom, merely for lack of the common Means of Acceſs to them, we are at preſent altogether Strangers.

So very important is the Nature of this Subject juſt now, that in caſe of a War, if our Settlements ſhould continue in that weak and helpleſs Condition they are now, to lie expoſed to the Inſults and Attacks of the Enemy, without the Protection of any Kind of Fortifications either before or behind them, and without the Aid of any other Troops but a looſe, diſorderly, and inſignificant Militia, ſurely we can expect nothing

elſe

elſe but ſuch Deſolation and Ruin, as the Induſtry of many Years to come will not be able to repair.

Wherefore it is humbly propoſed, that a ſmall Body of Regular Troops be immediately raiſed for that Service on the North Continent of *America*, to be commanded and diſpoſed of all along the Weſtern Frontier of our Settlements there, by an experienced General Officer under the Crown, independent on the particular Orders of the reſpective Governors, yet to be aſſiſted by them in Council on every emergent Occaſion: The Reſolutions from Time to Time, and whole Proceedings of which General Council to be conſtantly tranſmitted and laid before the King in his Privy Council, as the dernier Reſort and ſupreme Authority in all Affairs relating to the Plantations; ſome ſuch Regulation as this, it is humbly conceived, would effectually prevent all or moſt of the Dangers and Loſſes, we have, as Matters now ſtand, but too juſt Cauſe to apprehend, and at the ſame Time it would give ſuch Protection and Encouragement

to

to all manner of Buſineſs in the Plantations, as would greatly pleaſe the People Abroad, and likewiſe bring conſiderable Profit to the Merchant at Home; ſo that there is good Reaſon to expect the *Britiſh* Subjects in *America*, for whoſe immediate Advantage and particular Service this Scheme is chiefly deſigned, would on that Account chearfully comply with any moderate and eaſy Tax that could be laid on them for ſo good and neceſſary a Purpoſe; *on Condition however that all the Money to be ſo levied amongſt them ſhould be punctually and ſtrictly applied to this Service, and no other: From all which we preſume to affirm, that if the Duty on Stamps was,* by *Act of Parliament, now eſtabliſhed in all the* Britiſh *Colonies,* and that *the Product of that Revenue was, by the ſame Authority,* ſtrictly appropriated to the Service of thoſe Plantations only, it would moſt certainly anſwer the propoſed End, for the Encouragement and Protection of Commerce, and, thereby, the true Service and Honour of the *Britiſh* Nation; all which is moſt humbly ſubmitted to the

Conſideration

Conſideration and Judgment of our Superiors.

Much has been ſaid and wrote of late about the Decay of the Woollen Manufactory; but, without entering into the particular and various Reaſons, how that Staple has ſuffered, and been reduced from the very flouriſhing Condition it was in a few Years ago, it will certainly be more prudent, and therefore eligible, to diſcover and encourage a new Vent for the Woollen Manufactory of *Great Britain*, than to ſtrain our Invention otherways, by contending with thoſe Advantages, which our Rivals have obtained by ſuch Induſtry and Management, as we can neither interrupt nor prevent.

Suppoſing, then, that by due Encouragement to the Colonies, eſpecially on the Continent of *America*, we ſhould proportionably increaſe a conſtant Demand for our coarſe Woollens, which is allowed to be the Bulk of that Manufacture, we ſhall thereby ſecure a certain and profitable Vent for that valuable Staple, independent of all Foreign Nations,

Nations, and in Deſpite of any Arts they can poſſibly uſe to obſtruct us; which Conſideration alone is ſufficient to demonſtrate the important Advantage, which muſt accrue to *Britain* by protecting, encouraging, and extending her Plantations on the Continent of *America*.

PROPOSAL *for eſtabliſhing by Act of Parliament the Duties upon Stampt Paper and Parchment in all the* Britiſh American *Colonies.*

THE Contiguous Situation of the *Britiſh* Colonies on the Coaſt of the Northern Continent of *America*, is not only a very great Advantage to the Trade of *Britain*, but likewiſe has of late Years produced ſuch an Increaſe of Inhabitants, as has rendered them vaſtly Superior in Strength of People, when compared either with the *French* or *Spaniſh* Settlements on the ſame Continent; ſo that under a wiſe and good Regulation of Government, *Britain* has little to fear from her Rivals in *America*, and may eaſily provide for the Safety and Protection of her Dominions there without the Trouble of frequent Equipments, or expenſive Expeditions from *Europe*.

But as the Policy of the *Britiſh* State has wiſely divided thoſe Settlements into many ſeparate Governments independent on one another, whereby they cannot be forced into any Union of Councils, or otherways deprived of that Liberty which is peculiar to the Subject of *Great-Britain*, ſome other Method muſt be contrived, in Caſe of any Breach with *France* or *Spain*, to raiſe a public Fund in *America* for the Maintenance and Support of any Military Force, which may be found uſeful and neceſſary to be kept up in thoſe Parts, in order to preſerve the Ballance of Power, and protect the Trade of *Britain*.

For this Purpoſe it is propoſed, that without obſtructing in the leaſt any Branch of Commerce, or affecting the Property of Lands in that Part of the *Britiſh* Dominions, the Duties on Stamps may be extended by Act of Parliament to all the Colonies, and the Produce applied to anſwer the Expence of Land Forces and other Public and neceſſary Services in the *American* Plantations, to the great Eaſe of the Mother State, and without

without the Trouble of applying to the ſeveral Aſſemblies in ſo many Diſtinct and Independent Provinces, who never could be brought in voluntarily to raiſe ſuch a Fund by any general and equally proportioned Tax among themſelves.

It is likewiſe propoſed, that the ſeveral Kinds of Stamps to be ſtruck for *America* ſhall be different, and bear a remarkable Diſtinction from thoſe uſed in *Great-Britain*; and that there ſhall be one Commiſſioner added to the preſent Commiſſion for the Stamp Office, who ſhall be a Member of that Board, and accountable to the ſame for all ſuch Quantities of Stamps as he ſhall call for and receive out of that Office for the Uſe of the Plantations.

That the ſaid Commiſſioner for *America* ſhall receive his Inſtructions from the Board at *London*, and be directed forthwith to proceed to every one of the Colonies in *America*, and there to depute ſuch and ſo many Perſons in each Colony, as he ſhall judge needful, to reſide at the moſt convenient Places for the delivering out all ſuch Stamps as the Peo-

ples Occaſions may require, and are called for from Time to Time, he taking good and ſufficient Security for the Fidelity of the Officers ſo by him deputed, giving them at the ſame Time Inſtructions how and in what Manner the Money or Value of the Stamps ſo by them delivered out ſhall be returned to the Stamp Office at *London*, where all Accounts of that Revenue are to be regularly made up, and returned every Quarter, and the whole Management thereof ſubmitted to the Direction of that Board from Time to Time.

That the Commiſſioner for *America* ſhall have Power to ſettle the yearly Allowance or Salary to be given to the Officers his Deputies and Clerks abroad, and he be allowed for his own Trouble and Expence, which will be very conſiderable in travelling from Place to Place, the Sum of

per Annum.

PRO-

REASONS, *humbly offered in Support of the above Propoſal to extend the Duties on Stampt Paper and Parchment all over the* Britiſh *Plantations.*

The Author of the above Propoſal diſclaims, all Views of depriving the *Britiſh* Subjects in the Plantations, of any of thoſe Rights and Privileges which are derived to them as natural-born Subjects of *Great-Britain*; but on the other Hand, he cannot conſider that Part of his Majeſty's Subjects Abroad to be inveſted with any Sort of Rights or Privileges, that are of a higher and more independent Nature than what their Brethren of *Great-Britain* can claim at Home. For he conſiders all the *American* Provinces as ſo many diſtinct Incorporations, who, from the Accident of their diſtant Situation, are inveſted with various Privileges, eſſentially neceſſary to their Society in ſeparate independent Governments. But he conceives that the Subjects there, are under no other ſupreme Legiſlature but that of *Great-Britain*;

Britain; inſomuch that every Subject in *America*, as often as his Occaſions require, has an indubitable Right to make his humble Application to a *Britiſh* Parliament, where he virtually conceives himſelf to be truly repreſented; becauſe the common Intereſt of the *Britiſh* State or Commonwealth, moſt certainly includes the Subjects of *America*, equally with thoſe of every other Part of the Dominion, and ſo we find it to be underſtood by the Tenor of the famous Act of Navigation, as well as other reſtrictive Acts relating to Commerce and the public Revenue.

When People therefore pretend to diſtinguiſh between the Intereſt of the Plantations and that of *Great-Britain*, they do not advert that theſe two, from the Nature of Things, muſt always be the ſame, even ſo when the particular Intereſt or Advantage of any one Colony is placed in Oppoſition to that of all the reſt; it is quite from the Purpoſe, and cannot in that Light be ſuppoſed to merit the Conſideration of a legiſlative ſupreme Power.

The

The Grounds of the preſent War with *Spain* ſufficiently declare, that it is the Intereſt of the *Britiſh* State to maintain and defend her Settlements in *America*. And the Condition of many Branches of the public Revenue, as well as of the national Trade, for ſome Time paſt, in like Manner demonſtrate, that to promote the Intereſt of the Plantations in general, to extend their Settlements Weſtward, and protect their Trade with the Natives, is a very conſiderable public Concern, worthy the Attention of the Legiſlature. And it being not only a received Maxim in Policy, but the peculiar Badge of a free Conſtitution, that every Member of a Commonwealth ought to bear his juſt Proportion of whatever public Taxes are needful to be raiſed for ſupporting the Rank, or improving the Intereſt of the State, we may equitably conclude, that ſince it is evidently become neceſſary for *Britain* to erect Forts, and maintain a reaſonable Number of Troops for the Defence of her Dominions in *America*, the Subjects there will have no juſt Cauſe to com-

plain

plain, if, for that particular Service, one of the eaſieſt and leaſt burthenſome Taxes, which the Wiſdom of Parliament has thought fit to impoſe on the Subjects of *Great-Britain* at Home, be now extended to the Plantations in *America*.

Some of the Advantages that would accrue to *Britain*, as well as to her Colonies, by ſuch an Act of Parliament, are conceived to be as follows, *viz.*

I. All the Colonies, but eſpecially thoſe on the Continent, would immediately and moſt ſenſibly feel the warm Influence of ſuch a Protection and Support in carrying on their induſtrious Commerce, and extending their Settlements, as they have not hitherto had any Experience of; and it would be a mighty Encouragement for them to have annually the Occaſion of obſerving, that the Money raiſed amongſt themſelves for this Service, was ſtrictly accounted for to Parliament, and duly applied for their proper Benefit.

II. It

II. It would put an entire Stop to all thoſe Complaints and Diſputes daily ariſing between the People of the Colonies and their reſpective Governors, about raiſing Forces, and otherwiſe complying with the Royal Inſtructions, in Matters which are truly beyond their Capacities, and always contradictory to their ſelfiſh and narrow Diſpoſitions.

III. It would gradually, with Time, introduce amongſt them a more juſt and favourable Opinion of their Dependency on a *Britiſh* Parliament, than what they generally have at preſent; and as it would intitle them, on many Occaſions, to ſeek Redreſs in Parliament, it would keep the ſuperior and arbitrary Officers amongſt them in ſome Awe, and prevent a Multitude of injurious, oppreſſive Practices, which would perhaps be thought too invidious to enumerate here.

IV. The Expence of Stamps would be a very proper and eaſy Cheque to that immoderate Quantity of Paper Bills

ſtruck in many of the Colonies, to the Diſcouragement of fair Trade, eſpecially from *Europe*, and which no Method yet tried has been found ſufficient to regulate within due Bounds.

V. It would place the united Strength of all the Colonies together into the Hands of the Crown, without affecting their conſtant and neceſſary Independency on one another.

DOUGLAS, in his Summary of *America*, written and publiſhed at *Boſton*, in the Year 1749, ſays, "As vexatious Suits in Law are a great Nuiſance "in all Countries, and the ſmaller the Charges of "Courts, the greater is the Encouragement to "ſuch Suits; therefore there ſhould be *a Stamp-* "*Duty* upon all Writings, or Inſtruments, uſed "in Law Affairs." †

Vide Vol. I. p. 259.

F I N I S.

This was proposed to be a Colony Tax, & not by Parliament.

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APPENDIX